

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 1461

S.P. 452

In Senate, April 12, 2011

**Resolve, To Implement the Recommendations of the Report on
Services for Elders and Other Adults Who Need Long-term Home-
based and Community-based Care**

Reference to the Committee on Health and Human Services suggested and ordered printed.

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.

Secretary of the Senate

Presented by President RAYE of Washington.
Cosponsored by Representative CAIN of Orono and
Senators: CRAVEN of Androscoggin, FARNHAM of Penobscot, MASON of Androscoggin,
McCORMICK of Kennebec, Representatives: EVES of North Berwick, MacDONALD of
Boothbay, Speaker NUTTING of Oakland, STRANG BURGESS of Cumberland.

1 **Preamble. Whereas,** as a result of legislation in the 124th Legislature, the
2 Department of Health and Human Services engaged over 30 interested parties in a so-
3 called "lean thinking" process that examined Maine's system of long-term services and
4 supports; and

5 **Whereas,** this process resulted in a report to the Legislature that included
6 recommendations and a specific Lean Implementation Plan; and

7 **Whereas,** the Lean Implementation Plan contains important changes and
8 modifications that improve the efficiency, cost-effectiveness and quality of services
9 delivered to consumers of long-term services; and

10 **Whereas,** it is the intent of the 125th Legislature to promote equity and optimize
11 consumer use by streamlining the long-term care system into one structure that meets all
12 long-term care needs within existing resources; now, therefore, be it

13 **Sec. 1. Plan adoption. Resolved:** That the Commissioner of Health and Human
14 Services shall adopt the Lean Implementation Plan and make its action items a work
15 priority. For the purposes of this resolve, "Lean Implementation Plan" means the plan
16 developed as part of the report prepared for the 124th Legislature by the Department of
17 Health and Human Services entitled "Services for Elders and Other Adults Who Need
18 Long-Term Home- and Community-Based Care," dated January 20, 2010; and be it
19 further

20 **Sec. 2. Elements. Resolved:** That the specific action items under section 1
21 include, but are not limited to:

22 1. Consolidating the 2 existing waivers for adult and elderly community-based
23 services, currently codified under MaineCare rule as Chapter II, Section 19 and Section
24 22 and taking any appropriate action with the United States Department of Health and
25 Human Services, Centers for Medicare and Medicaid Services to achieve the
26 consolidation;

27 2. Consolidating the 2 personal care assistant programs currently codified under
28 MaineCare rule as Chapter II, Section 12 and Section 96, exploring the feasibility of
29 providing homemaker services under the consolidated programs and taking any
30 appropriate action with the United States Department of Health and Human Services,
31 Centers for Medicare and Medicaid Services to achieve the consolidation;

32 3. Consolidating the 2 state-funded in-home care and community support services
33 programs for elderly and other adults, currently codified under Chapter 65, Section 63 of
34 the Office of Elder Services manual and Chapter 11 of the Office of Cognitive and
35 Physical Disabilities Services manual;

36 4. Developing a long-term care services statewide plan that ensures access to care in
37 the least restrictive environment;

38 5. Maximizing federal opportunities available through the United States Department
39 of Health and Human Services, Centers for Medicare and Medicaid Services;

