

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 829

H.P. 580

House of Representatives, March 5, 2013

**Resolve, To Complete the Timely and Appropriate Redesign of
Shared Living Services for Adults with Intellectual Disabilities or
Autism**

(EMERGENCY)

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative STUCKEY of Portland.
Cosponsored by Representative: SANBORN of Gorham.

1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** shared living is an appropriate and cost-effective option for many adults
4 with cognitive or intellectual disabilities or autism; and

5 **Whereas,** the Department of Health and Human Services began redesign efforts for
6 its shared living program July 1, 2010 and booked savings in this program; and

7 **Whereas,** the initial redesign has occurred and actions to clarify the respective roles
8 of administering agencies, host families and department employees have occurred; and

9 **Whereas,** substantial portions of the redesign remain unresolved or not
10 implemented; and

11 **Whereas,** residential supports for over 450 individuals with intellectual disabilities
12 or autism are critical services that require additional redefinition; and

13 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
14 the meaning of the Constitution of Maine and require the following legislation as
15 immediately necessary for the preservation of the public peace, health and safety; now,
16 therefore, be it

17 **Sec. 1. Redesign. Resolved:** That the Department of Health and Human Services
18 shall complete the redesign of its shared living program that began July 1, 2010 with the
19 stakeholder group that was established by the Commissioner of Health and Human
20 Services. The redesign work must include the following:

21 1. Analysis of the efficacy and appropriateness of host families becoming providers
22 of record under rules of the MaineCare program and clarification of host families being
23 defined as employees or independent contractors;

24 2. Review of planned allocation of responsibilities that took effect October 1, 2010,
25 and proper implementation of assigned tasks and responsibilities among host home
26 providers, oversight agencies and case managers for the Department of Health and
27 Human Services;

28 3. Amendment, if necessary, of the rules regarding the MaineCare program home
29 and community waiver to include a clear definition of shared living services; and

30 4. Development of acuity-based reimbursement systems for host home providers and
31 oversight agencies that are within the limits of existing resources and that reflect the
32 intensity of supports required by individuals and host home providers based on an
33 objective needs assessment process.

34 The Department of Health and Human Services shall complete the shared living
35 program redesign by June 30, 2013.

1 **Emergency clause.** In view of the emergency cited in the preamble, this
2 legislation takes effect when approved.

3 **SUMMARY**

4 This resolve requires the Department of Health and Human Services to continue to
5 work on the redesign of its shared living program and to complete the redesign by June
6 30, 2013.