

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

SECOND REGULAR SESSION-2020

Legislative Document

No. 1944

H.P. 1388

House of Representatives, January 8, 2020

An Act To Expand Eligibility for Home Accessibility Adaptation Benefits under the MaineCare Program

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative TEPLER of Topsham.
Cosponsored by Senator LIBBY of Androscoggin and
Representatives: FECTION of Biddeford, GATTINE of Westbrook, McDONALD of
Stonington, MEYER of Eliot, RILEY of Jay, STOVER of Boothbay, Senators: SANBORN, L.
of Cumberland, VITELLI of Sagadahoc.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 34-B MRSA §5438**, as amended by PL 2011, c. 542, Pt. A, §103, is
3 further amended to read:

4 **§5438. Services for adults with diagnoses of intellectual disabilities or other**
5 **developmental disabilities**

6 To the extent possible using available resources, the department shall provide adults
7 with diagnoses of intellectual disabilities and other developmental disabilities choices
8 from among an array of supports and services, including but not limited to: employment
9 supports, personal supports, home accessibility adaptations, day programs and residential
10 services. The department shall pursue appropriate resources for the supports and services
11 needed by adults covered under this chapter. The department shall also evaluate the
12 effectiveness of the contracts initiated to provide services pursuant to this section between
13 6 months and one year following the start of those contracts and shall develop protocols
14 for such evaluations.

15 **Sec. 2. Department of Health and Human Services to amend rules.** The
16 Department of Health and Human Services shall amend its rules in Chapter 101:
17 MaineCare Benefits Manual, Chapters II and III, Sections 21 and 29 to allow for a person
18 who is providing shared living housing support to a person who is a MaineCare member
19 eligible and receiving services under those rules to qualify for the same home
20 accessibility adaptations to the residence, including the same limits, that are available to
21 the member if that member is making home accessibility adaptations to the member's or
22 member's family's private residence. Rules adopted pursuant to this section are routine
23 technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter
24 2-A.

25 **SUMMARY**

26 This bill extends the current home accessibility adaptations available to MaineCare
27 members receiving services under rule Chapter 101: MaineCare Benefits Manual,
28 Chapters II and III, Sections 21 and 29 to persons providing shared living housing to a
29 member receiving these services. The bill also requires that the Department of Health
30 and Human Services evaluate the effectiveness of contracts for services for adults with
31 diagnoses of intellectual disabilities or other developmental disabilities.