

# MAINE STATE LEGISLATURE

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L.D. 296

Date: 6-15-21

(Filing No. H-621)

**HEALTH AND HUMAN SERVICES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
130TH LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H.P. 209, L.D. 296, "An Act To Provide a Tax Credit for Family Caregivers"

Amend the bill by striking out the title and substituting the following:

**'Resolve, To Create the Family Caregiver Grant Pilot Program'**

Amend the bill by striking out everything after the title and inserting the following:

**'Sec. 1. Department of Health and Human Services to establish Family Caregiver Grant Pilot Program. Resolved:** That the Department of Health and Human Services, in cooperation with area agencies on aging, shall establish the Family Caregiver Grant Pilot Program to increase the number of families served by the Respite Care Fund, alleviate costs associated with providing in-home care of an adult, provide a family caregiver grant to increase economic security for family caregivers and examine the needs and preferences of the families served by the Respite Care Fund and the pilot program.

**Sec. 2. Definitions. Resolved:** That, as used in this resolve, the following terms have the following meanings.

1. "Department" means the Department of Health and Human Services.
2. "Eligible family caregivers" means:
  - A. Adult family members or other informal caregivers 18 years of age or older providing care to individuals 60 years of age or older;
  - B. Adult family members or other informal caregivers 18 years of age or older providing care to individuals of any age with Alzheimer's disease or related disorders;
  - C. Relatives, not including parents, 55 years of age or older providing care to children under 18 years of age; and
  - D. Relatives, including parents, 55 years of age or older providing care to adults 18 to 59 years of age with disabilities.

**COMMITTEE AMENDMENT**

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1           3. "Pilot program" means the Family Caregiver Grant Pilot Program established  
2 pursuant to section 1.

3           4. "Respite Care Fund" means the Respite Care Fund under the Maine Revised  
4 Statutes, Title 22, section 7308.

5           **Sec. 3. Grant amounts. Resolved:** That, under the pilot program, an eligible  
6 family caregiver who is not otherwise receiving payment for caring for the person in their  
7 care may receive up to \$2,000 a year. Eligible family caregivers may choose annually to  
8 receive either the services specified in the Maine Revised Statutes, Title 22, section 7308  
9 or services under the pilot program.

10           **Sec. 4. Stakeholder group. Resolved:** That, no later than October 1, 2021, the  
11 department shall convene a stakeholder group to meet periodically to assist in designing  
12 the pilot program, including eligibility and payment methods; implementing the pilot  
13 program; and developing outreach strategies to eligible family caregivers, application  
14 assistance and evaluation planning. The stakeholder group must include representatives of  
15 the department, area agencies on aging, family caregivers, home and community-based  
16 support services providers, nursing facilities, residential care services providers and  
17 advocacy organizations for aging adults.

18           **Sec. 5. Pilot program period; annual expenditures capped. Resolved:** That  
19 the pilot program shall provide services or grants to eligible family caregivers from October  
20 1, 2022 to September 30, 2024. In each year, from October to September, the annual  
21 expenditures for the pilot program are capped at \$5,000,000.

22           **Sec. 6. Administrative costs. Resolved:** That up to 15% of the annual  
23 expenditure cap in section 5 may be used for administrative costs, including, but not limited  
24 to, one full-time position within the department's office of aging and disability services to  
25 administer the pilot program, contract costs and ongoing evaluation. The department may  
26 contract with up to \$200,000 in additional funds for an administrator, after October 1, 2021,  
27 to establish the pilot program and coordinate with the stakeholder group convened pursuant  
28 to section 4.

29           **Sec. 7. Guidelines; rulemaking. Resolved:** That the department and the  
30 stakeholder group convened pursuant to section 4 shall determine guidelines for how  
31 eligible family caregivers are identified to receive assistance and the amount of grants  
32 distributed pursuant to section 3. The department may adopt rules to implement this  
33 resolve. Rules adopted pursuant to this section are routine technical rules as defined in the  
34 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

35           **Sec. 8. Evaluation; report. Resolved:** That the department shall contract with a  
36 3rd-party organization with expertise in evaluating public policy programs for ongoing  
37 evaluation of the success of the pilot program and the services provided under the Respite  
38 Care Fund. The department shall submit a report to the joint standing committee of the  
39 Legislature having jurisdiction over health and human services matters no later than  
40 January 15, 2025. The report must include the following:

- 41           1. An unduplicated count of individuals receiving respite care, assistive technology,  
42 home modification and family caregiver grants under section 3;

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1 2. The amount of funds that were expended for respite care, assistive technology, home  
2 modification and family caregiver grants;

3 3. The demographics of eligible family caregivers receiving services under the pilot  
4 program, including, but not limited to, age, race, ethnicity, gender identity, income and  
5 county of residence;

6 4. The number of eligible family caregivers on waiting lists for services under the pilot  
7 program and the demographics of those family caregivers, including, but not limited to,  
8 age, race, ethnicity, gender identity, income and county of residence;

9 5. The time between application and eligibility determination by the department or its  
10 contracted designee;

11 6. The time between application for and receipt of services provided under the pilot  
12 program;

13 7. An assessment of the extent to which services provided under the pilot program kept  
14 individuals cared for by eligible family caregivers out of institutional care or delayed  
15 transfer to an institutional level of care; and

16 8. Any recommendations for changes related to the adequacy of the Respite Care Fund  
17 and the scope of services provided and recommendations for continuing the pilot program.

18 The joint standing committee of the Legislature having jurisdiction over health and  
19 human services matters is authorized to report out legislation related to the report to the  
20 First Regular Session of the 132nd Legislature.

21 **Sec. 9. Appropriations and allocations. Resolved:** That the following  
22 appropriations and allocations are made.

23 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**  
24 **Office of Aging and Disability Services Central Office 0140**

25 Initiative: Provides one-time funding to the Respite Care Fund within the Department of  
26 Health and Human Services to provide family caregiver grants and cover the administrative  
27 costs of the pilot program.

28	<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
29	All Other	\$200,000	\$5,000,000
30			
31	<b>GENERAL FUND TOTAL</b>	<u>\$200,000</u>	<u>\$5,000,000</u>

32  
29 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
30 number to read consecutively.

31 **SUMMARY**

36 This amendment replaces the bill with a resolve. It directs the Department of Health  
37 and Human Services to establish the Family Caregiver Grant Pilot Program to expand the  
38 number of families that can be served under the Respite Care Fund. The pilot program may  
39 provide grants to eligible family caregivers of up to \$2,000 a year and lasts for 2 years,  
40 from October 2022 to September 2024. The department is required to convene a

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COMMITTEE AMENDMENT "A" to H.P. 209, L.D. 296

1 stakeholder group to design and implement the pilot program and plan for its evaluation.  
2 The pilot program is limited to total expenditures of \$5 million a year with up to 15% of  
3 that amount to be used for administrative costs. The department may also contract for an  
4 administrator to establish the pilot program prior to its launch. The department may adopt  
5 routine technical rules to implement the resolve. The department is required to submit a  
6 report to the joint standing committee of the Legislature having jurisdiction over health and  
7 human services matters no later than January 15, 2025. The amendment also adds an  
8 appropriations and allocations section.

9 **FISCAL NOTE REQUIRED**  
10 (See attached)

**COMMITTEE AMENDMENT**



# 130th MAINE LEGISLATURE

LD 296

LR 206(02)

An Act To Provide a Tax Credit for Family Caregivers

Fiscal Note for Bill as Amended by Committee Amendment *A(H-621)*

Committee: Health and Human Services

Fiscal Note Required: Yes

## Fiscal Note

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
<b>Net Cost (Savings)</b>				
General Fund	\$200,000	\$5,000,000	\$5,000,000	\$0
<b>Appropriations/Allocations</b>				
General Fund	\$200,000	\$5,000,000	\$5,000,000	\$0

### Fiscal Detail and Notes

The bill includes one-time General Fund appropriations to the Department of Health and Human Services of \$200,000 in fiscal year 2021-22 and \$5,000,000 in fiscal year 2022-23 to provide family caregiver grants and cover the administrative costs of the 24-month pilot program.