

MAINE STATE LEGISLATURE

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2 Date: 6-1-21

(Filing No. H-283)

3 **EDUCATION AND CULTURAL AFFAIRS**

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5 **STATE OF MAINE**
6 **HOUSE OF REPRESENTATIVES**
7 **130TH LEGISLATURE**
8 **FIRST SPECIAL SESSION**

9 COMMITTEE AMENDMENT "A" to H.P. 680, L.D. 924, "Resolve, To Establish a
10 Task Force To Study the Coordination of Services and Expansion of Educational Programs
11 for Young Adults with Intellectual or Developmental Disabilities To Identify Barriers to
12 Full Societal Integration"

13 Amend the resolve by striking out the title and substituting the following:

14 **'Resolve, To Establish a Task Force To Study the Coordination of Services and**
15 **Expansion of Educational Programs and Vocational Opportunities for Young Adults**
16 **with Intellectual or Developmental Disabilities or Acquired Brain Injury'**

17 Amend the resolve by striking out all of section 1 and inserting the following:

18 **'Sec. 1. Task force established. Resolved:** That the Task Force To Study the
19 Coordination of Services and Expansion of Educational Programs for Young Adults with
20 Intellectual or Developmental Disabilities or Acquired Brain Injury, referred to in this
21 resolve as "the task force," is established to identify barriers inhibiting young adults with
22 intellectual disabilities, developmental disabilities, acquired brain injury and similar
23 conditions from accessing higher education and vocational opportunities.'

24 Amend the resolve in section 2 in subsection 8 in the last line (page 1, line 21 in L.D.)
25 by striking out the following: "; and" and inserting the following: ';

26 Amend the resolve in section 2 by striking out all of subsection 9 (page 1, lines 22 to
27 39 and page 2, lines 1 to 7 in L.D.) and inserting the following:

28 '9. The Commissioner of Transportation or the commissioner's designee;

29 10. The director of the Maine State Housing Authority or the director's designee; and

30 11. Seventeen members appointed by the Commissioner of Education, in consultation
31 with the Commissioner of Health and Human Services and the Commissioner of Labor, as
32 follows:

33 A. One member who represents an advocacy organization for young adults with
34 disabilities;

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- 1 B. One member who represents a statewide organization of parents of young adults
- 2 with disabilities;
- 3 C. One member who represents a statewide association for adult education;
- 4 D. One member who represents a statewide association for career and technical
- 5 education;
- 6 E. One member who represents the University of Maine System;
- 7 F. One member who represents the Maine Community College System;
- 8 G. One member who represents a statewide association of administrators of services
- 9 for children with disabilities;
- 10 H. One member who represents community-based providers of services for young
- 11 adults with disabilities;
- 12 I. One member who represents a statewide organization that provides information and
- 13 resources for parents and professionals who work with families that have a family
- 14 member who has a disability;
- 15 J. Five members who are parents or guardians or direct care providers of a young adult
- 16 with a disability; and
- 17 K. Three members who are each a young adult with a disability who is eligible to
- 18 receive services from the State.'
- 19 Amend the resolve by striking out all of section 4 and inserting the following:
- 20 **'Sec. 4. Duties. Resolved:** That the task force shall study the barriers to accessing
- 21 higher education and vocational opportunities for young adults with intellectual disabilities,
- 22 developmental disabilities, acquired brain injury and similar conditions and make
- 23 recommendations to improve access to higher education and vocational opportunities,
- 24 including but not limited to:
- 25 1. The degree to which transition planning services, as required by the federal
- 26 Individuals with Disabilities Education Act, are effective in helping students with
- 27 intellectual disabilities, developmental disabilities, acquired brain injury and similar
- 28 conditions identify educational and vocational opportunities and in preparing students to
- 29 access these opportunities;
- 30 2. The benefits, assessments, expansion and availability of continuing educational
- 31 opportunities for young adults with intellectual disabilities, developmental disabilities,
- 32 acquired brain injury and similar conditions;
- 33 3. The vocational opportunities and work support services available to young adults
- 34 with intellectual disabilities, developmental disabilities, acquired brain injury and similar
- 35 conditions; and
- 36 4. The degree to which case managers and individualized education program teams
- 37 engage with and connect students and their families with adult services that provide
- 38 vocational supports, including home and community-based services waivers available
- 39 through the Department of Health and Human Services, office of MaineCare services and
- 40 office of aging and disability services.

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1 In conducting its duties under this section, the task force shall focus on the population
2 of young adults 18 years of age and older eligible for, or likely eligible for, adult services
3 provided through the following MaineCare home and community-based services waiver
4 programs: Department of Health and Human Services rule Chapter 101: MaineCare
5 Benefits Manual, Chapter II, Section 18, Home and Community-Based Services for Adults
6 with Brain Injury; Chapter II, Section 20, Home and Community Based Services for Adults
7 with Other Related Conditions; Chapter II, Section 21, Home and Community Benefits for
8 Members with Intellectual Disabilities or Autism Spectrum Disorder; and Chapter II,
9 Section 29, Support Services for Adults with Intellectual Disabilities or Autism Spectrum
10 Disorder. The task force shall also develop recommendations to enhance the coordination
11 of school districts, case managers and adult services to ensure the most efficient and
12 effective provision of educational and vocational services, including continuing purposeful
13 individualized education, development of self-determination and personal advocacy skills,
14 work supports and job training. The task force shall analyze current data and retrospective
15 data for the past 6 years and provide the measurable success rate of programs providing
16 these essential services, with consideration of the preferences, strengths and interests of
17 individual young adults with intellectual disabilities, developmental disabilities, acquired
18 brain injury and similar conditions and parental concerns.'

19 Amend the resolve by striking out all of section 6 and inserting the following:

20 **'Sec. 6. Outside funding. Resolved:** That the task force may, but is not required
21 to, seek outside funding to support the work of the task force. Any person, other than a
22 state agency, authorized and desiring to make a financial or in-kind contribution must
23 certify to the Legislative Council that it has no pecuniary or other vested interest in the
24 outcome of the task force. All such contributions are subject to the approval of the
25 Legislative Council. All contributions accepted must be forwarded to the Executive
26 Director of the Legislative Council along with an accounting record that includes the
27 amount of contributions, the date the contributions were received, from whom the
28 contributions were received and the purpose of and any limitation on the use of those
29 contributions. The Executive Director of the Legislative Council shall administer the
30 contributions and shall notify the chairs of the task force when those contributions have
31 been received.'

32 Amend the resolve by relettering or renumbering any nonconsecutive Part letter or
33 section number to read consecutively.

34 SUMMARY

35 This amendment redefines the population to be considered by the task force created by
36 the resolve as young adults with intellectual disabilities, developmental disabilities,
37 acquired brain injury and similar conditions, with a focus on those eligible for Department
38 of Health and Human Services rule Chapter 101: MaineCare Benefits Manual, Chapter II,
39 Sections 18, 20, 21 and 29 MaineCare home and community-based services waiver
40 programs.

41 It replaces the member of the task force representing the Department of Transportation,
42 appointed by the Commissioner of Education, with the Commissioner of Transportation or
43 the commissioner's designee. It also replaces the member of the task force representing the

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1 Maine State Housing Authority, appointed by the Commissioner of Education, with the
2 director of the Maine State Housing Authority or the director's designee.

3 It changes the task force duties to focus on the degree to which transition planning
4 services are effective in helping students identify educational and vocational opportunities
5 and in preparing students to access these opportunities; the benefits, assessments,
6 expansion and availability of continuing educational opportunities for young adults with
7 intellectual disabilities, developmental disabilities, acquired brain injury and similar
8 conditions; the vocational opportunities and work support services available to young
9 adults with intellectual disabilities, developmental disabilities, acquired brain injury and
10 similar conditions; and the degree to which case managers and individualized education
11 program teams engage with and connect students and their families with adult services that
12 provide vocational supports, including home and community-based services waivers
13 available through the Department of Health and Human Services, office of MaineCare
14 services and office of aging and disability services.

15 **FISCAL NOTE REQUIRED**

16 (See attached)



Revised: 05/13/21 *MAC*

130th MAINE LEGISLATURE

LD 924

LR 969(02)

Resolve, To Establish a Task Force To Study the Coordination of Services and Expansion of Educational Programs for Young Adults with Intellectual or Developmental Disabilities To Identify Barriers to Full Societal Integration

Fiscal Note for Bill as Amended by Committee Amendment *A (H-283)*

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Fiscal Note

Legislative Cost/Study

Current biennium cost increase - General Fund

Legislative Cost/Study

The general operating expenses of this study are projected to be \$1,500 in fiscal year 2021-22 and \$750 in fiscal year 2022-23. The Legislature's budget for the 2022-2023 biennium includes \$10,000 in fiscal year 2021-22 and \$10,000 in fiscal year 2022-23 for the costs of legislative studies, as well as \$21,260 of balances carried over from prior years for this purpose. Whether these amounts are sufficient to fund all studies will depend on the number of studies authorized by the Legislative Council and the Legislature. The additional costs of providing staffing assistance to the study during the interim can be absorbed utilizing existing budgeted staff resources.

Fiscal Detail and Notes

This legislation requires the Department of Education to provide staff assistance to the task force within its existing budgeted resources. The department has indicated that its Special Services Team will require one limited-period Education Specialist III position at a cost of \$33,125 per year in both fiscal years 2021-22 and 2022-23 to provide the required staff support. That amount assumes the position would work approximately 520 hours each year. Without the position, there may be an impact on other programs and services.

Additional costs to the University of Maine System, the Maine Community College System, the Maine State Housing Authority, the Department of Transportation and the Department of Health and Human Services associated with participating on the task force can be absorbed within existing budgeted resources.