

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST SPECIAL SESSION-2021

Legislative Document

No. 1624

H.P. 1208

House of Representatives, April 27, 2021

**Resolve, To Create a Stakeholder Group To Identify the Needs of
Long-term Care Family Caregivers**

(EMERGENCY)

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 CRAVEN of Lewiston.
Cosponsored by Representatives: BROOKS of Lewiston, CLOUTIER of Lewiston,
MADIGAN of Waterville, PERRY of Calais, Senator: LIBBY of Androscoggin.

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,** family caregivers are critical to the health of individuals receiving long-
4 term care assistance; and

5 **Whereas,** this resolve requires the long-term care ombudsman program within the
6 Department of Health and Human Services to convene a stakeholder group to consider and
7 make recommendations for the implementation of an assessment measure for the needs of
8 family caregivers in the State; and

9 **Whereas,** this assessment must be initiated before the 90-day period expires in order
10 that the work may be completed and a report submitted in time for submission to the next
11 legislative session; and

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

16 **Sec. 1. Long-term care ombudsman program to establish stakeholder**
17 **group. Resolved:** That the long-term care ombudsman program, established pursuant
18 to the Maine Revised Statutes, Title 22, section 5106, subsection 11-C and referred to in
19 this resolve as "the long-term care ombudsman," shall establish a stakeholder group to
20 consider and make recommendations for the implementation of an assessment measure for
21 the needs of family caregivers.

22 **Sec. 2. Stakeholder group membership. Resolved:** That the long-term care
23 ombudsman shall invite the participation of representatives of the Department of Health
24 and Human Services, the area agencies on aging, service coordination agencies for
25 recipients of home care services, Legal Services for the Elderly, Disability Rights Maine
26 and the agency designated by the State to provide statewide assessments as required by the
27 federal Centers for Medicare and Medicaid Services, as well as family caregivers and any
28 other interested parties, in the stakeholder group established in section 1.

29 **Sec. 3. Duties. Resolved:** That the stakeholder group established in section 1 shall
30 consider and make recommendations for the implementation of an assessment measure of
31 the needs of family caregivers. The stakeholder group shall consider all relevant data
32 including data currently collected by the Department of Health and Human Services or
33 stakeholders relating to the needs of family caregivers and family members of individuals
34 receiving long-term care services at home for referrals for support services and resources,
35 apparent gaps in resources and information regarding family caregiver assessment services
36 and resources provided in other states. The stakeholder group shall also develop a plan to
37 implement improved referrals to services for family caregivers.

38 **Sec. 4. Report. Resolved:** That the long-term care ombudsman shall submit a
39 report with its findings and recommendations pursuant to section 3, along with any
40 recommended legislation, to the Joint Standing Committee on Health and Human Services
41 no later than January 2, 2022. The committee is authorized to submit legislation to the
42 Second Regular Session of the 130th Legislature related to the report.

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

3 **SUMMARY**

4 This resolve requires the long-term care ombudsman program to establish a stakeholder
5 group to consider and make recommendations for the implementation of an assessment
6 measure for the needs of family caregivers providing long-term care services to family
7 members, to establish a plan to improve referrals to services and to submit a report to the
8 Joint Standing Committee on Health and Human Services no later than January 2, 2022.