

# 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)



# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

---

Legislative Document

No. 464

---

H.P. 281

House of Representatives, February 7, 2023

**An Act to Eliminate Waiting Lists for Community-based Services  
for People with Autism Spectrum Disorder, Intellectual Disability,  
Brain Injury or Other Related Conditions**

(EMERGENCY)

---

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

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

ROBERT B. HUNT  
Clerk

Presented by Representative OSHER of Orono.  
Cosponsored by Senator MOORE of Washington and  
Representatives: GATTINE of Westbrook, JAUCH of Topsham, PERRY of Bangor,  
SHAGOURY of Hallowell, WARREN of Scarborough, WILLIAMS of Bar Harbor, Senator:  
TIPPING of Penobscot.

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,** persons with disabilities have the right to dignity and to receive the support  
4 they need to work and to be otherwise included in their communities; and

5           **Whereas,** many persons with disabilities have an urgent need for adult home and  
6 community-based services to provide support and to enable their family members to work;  
7 and

8           **Whereas,** as of December 2019, more than 180 persons on the MaineCare Section 21  
9 waiver waiting lists were receiving no services at all; and

10          **Whereas,** providing services for more MaineCare members eligible for Section 29  
11 services ensures dignity and safety; 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,

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

17          **Sec. 1. Appropriations and allocations.** The following appropriations and  
18 allocations are made.

19 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

20 **Developmental Services - Community Z208**

21 Initiative: Provides funding to establish one Human Services Casework Supervisor  
22 position, 2 Human Services Caseworker positions, one Social Services Program Specialist  
23 II position, 3 DD Resource Coordinator positions and one Office Specialist position to  
24 handle the influx of members entering the waiver programs.

<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
POSITIONS - LEGISLATIVE COUNT	8,000	8,000
Personal Services	\$353,879	\$370,648
All Other	\$39,360	\$39,360
<b>GENERAL FUND TOTAL</b>	<b>\$393,239</b>	<b>\$410,008</b>

31 **Developmental Services Waiver - MaineCare Z211**

32 Initiative: Provides appropriations to provide services to individuals with developmental  
33 disabilities or autism spectrum disorder on the waiting list for community-based services  
34 provided under the department's rule Chapter 101: MaineCare Benefits Manual, Chapters  
35 II and III, Section 21, Home and Community Benefits for Members with Intellectual  
36 Disabilities or Autism Spectrum Disorder.

<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$7,412,627	\$28,629,652
<b>GENERAL FUND TOTAL</b>	<b>\$7,412,627</b>	<b>\$28,629,652</b>

41 **Developmental Services Waiver - Supports Z212**

1 Initiative: Provides appropriations to provide services to individuals with developmental  
 2 disabilities or autism spectrum disorder on the waiting list for community-based services  
 3 provided under the department's rule Chapter 101: MaineCare Benefits Manual, Chapters  
 4 II and III, Section 29, Support Services for Adults with Intellectual Disabilities or Autism  
 5 Spectrum Disorder.

6	<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
7	All Other	\$167,640	\$773,691
8			
9	GENERAL FUND TOTAL	<u>\$167,640</u>	<u>\$773,691</u>

10 **Long Term Care - Office of Aging and Disability Services 0420**

11 Initiative: Provides funding to eliminate the waiting lists for services provided under the  
 12 department's rule Chapter 10-149: Office of Aging and Disability Services, Chapter 5,  
 13 Office of Aging and Disability Services Policy Manual, Section 63, In-Home and  
 14 Community Support Services for Elderly and Other Adults, and Chapter 14-197: Office of  
 15 Aging and Disability Services, Chapter 11, Consumer Directed Personal Assistance  
 16 Services.

17	<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
18	All Other	\$11,331,377	\$29,525,711
19			
20	GENERAL FUND TOTAL	<u>\$11,331,377</u>	<u>\$29,525,711</u>

21 **Medicaid Services - Developmental Services Z210**

22 Initiative: Provides allocations to provide services to individuals with developmental  
 23 disabilities or autism spectrum disorder on the waiting list for community-based services  
 24 provided under the department's rule Chapter 101: MaineCare Benefits Manual, Chapters  
 25 II and III, Section 21, Home and Community Benefits for Members with Intellectual  
 26 Disabilities or Autism Spectrum Disorder, and Section 29, Support Services for Adults with  
 27 Intellectual Disabilities or Autism Spectrum Disorder.

28	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2023-24</b>	<b>2024-25</b>
29	All Other	\$1,841,497	\$5,880,372
30			
31	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$1,841,497</u>	<u>\$5,880,372</u>

32 **Medicaid Waiver for Brain Injury Residential /Community Serv Z218**

33 Initiative: Provides appropriations to provide services to individuals with brain injury on  
 34 the waiting list for community-based services provided under the department's rule Chapter  
 35 101: MaineCare Benefits Manual, Chapters II and III, Section 18, Home and Community-  
 36 Based Services for Adults with Brain Injury.

37	<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
38	All Other	\$1,278,409	\$2,782,752
39			
40	GENERAL FUND TOTAL	<u>\$1,278,409</u>	<u>\$2,782,752</u>

41 **Medicaid Waiver for Other Related Conditions Z217**

42 Initiative: Provides appropriations to provide services to individuals with other related  
 43 conditions on the waiting list for community-based services provided under the

1 department's rule Chapter 101: MaineCare Benefits Manual, Chapters II and III, Section  
 2 20, Home and Community-Based Services for Adults with Other Related Conditions.

3	<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
4	All Other	\$327,242	\$801,972
5			
6	GENERAL FUND TOTAL	<u>\$327,242</u>	<u>\$801,972</u>

7 **Medical Care - Payments to Providers 0147**

8 Initiative: Provides allocations to provide services to individuals with developmental  
 9 disabilities, autism spectrum disorder, brain injury or other related conditions on the  
 10 waiting list for community-based services provided under the department's rule Chapter  
 11 101: MaineCare Benefits Manual, Chapters II and III, Section 21, Home and Community  
 12 Benefits for Members with Intellectual Disabilities or Autism Spectrum Disorder; Section  
 13 29, Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder;  
 14 Section 18, Home and Community-Based Services for Adults with Brain Injury; and  
 15 Section 20, Home and Community-Based Services for Adults with Other Related  
 16 Conditions.

17	<b>FEDERAL EXPENDITURES FUND</b>	<b>2023-24</b>	<b>2024-25</b>
18	All Other	\$25,624,695	\$70,084,781
19			
20	FEDERAL EXPENDITURES FUND TOTAL	<u>\$25,624,695</u>	<u>\$70,084,781</u>

21

22	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2023-24</b>	<b>2024-25</b>
23	All Other	\$312,448	\$556,548
24			
25	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$312,448</u>	<u>\$556,548</u>

26 **Office of MaineCare Services 0129**

27 Initiative: Provides allocations to establish one Human Services Casework Supervisor  
 28 position, 2 Human Services Caseworker positions, one Social Services Program Specialist  
 29 II position, 3 DD Resource Coordinator positions and one Office Specialist position to  
 30 handle the influx of members entering the waiver programs.

31	<b>FEDERAL EXPENDITURES FUND</b>	<b>2023-24</b>	<b>2024-25</b>
32	Personal Services	\$353,879	\$370,648
33	All Other	\$48,408	\$48,794
34			
35	FEDERAL EXPENDITURES FUND TOTAL	<u>\$402,287</u>	<u>\$419,442</u>

36

37 **HEALTH AND HUMAN SERVICES,**  
 38 **DEPARTMENT OF**  
 39 **DEPARTMENT TOTALS**

40		<b>2023-24</b>	<b>2024-25</b>
41	<b>GENERAL FUND</b>	<b>\$20,910,534</b>	<b>\$62,923,786</b>
42	<b>FEDERAL EXPENDITURES FUND</b>	<b>\$26,026,982</b>	<b>\$70,504,223</b>
43	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$2,153,945</b>	<b>\$6,436,920</b>

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

**DEPARTMENT TOTAL - ALL FUNDS** \$49,091,461    \$139,864,929

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

**SUMMARY**

This bill provides funding to provide services to individuals with brain injury, other related conditions, developmental disabilities or autism spectrum disorder on the waiting lists for community-based services provided under the Department of Health and Human Services rule Chapter 101: MaineCare Benefits Manual, Chapters II and III, Section 21, Home and Community Benefits for Members with Intellectual Disabilities or Autism Spectrum Disorder; Section 29, Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder; Section 18, Home and Community-Based Services for Adults with Brain Injury; and Section 20, Home and Community-Based Services for Adults with Other Related Conditions. It also provides funding to eliminate the waiting lists for state-funded services provided under Department of Health and Human Services rule Chapter 10-149: Office of Aging and Disability Services, Chapter 5, Office of Aging and Disability Services Policy Manual, Section 63, In-Home and Community Support Services for Elderly and Other Adults and for services provided under Chapter 14-197: Office of Aging and Disability Services, Chapter 11, Consumer Directed Personal Assistance Services.