

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

SECOND REGULAR SESSION-2024

Legislative Document

No. 2211

H.P. 1418

House of Representatives, February 15, 2024

An Act Regarding Quality of Care and the Board of Trustees at the Maine Veterans' Homes

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

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

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

ROBERT B. HUNT
Clerk

Presented by Speaker TALBOT ROSS of Portland.
Cosponsored by President JACKSON of Aroostook and
Representatives: MALON of Biddeford, SUPICA of Bangor, TERRY of Gorham, Senator:
HICKMAN of Kennebec.

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

2 **Sec. 1. 37-B MRSA §603, sub-§2**, as repealed and replaced by PL 2021, c. 528,
3 §3, is repealed.

4 **Sec. 2. 37-B MRSA §603, sub-§2-A** is enacted to read:

5 **2-A. Appointment; composition.** The board consists of 14 members, one of whom
6 must be the Director of the Maine Bureau of Veterans' Services, ex officio, who serves
7 without term.

8 A. The Governor shall appoint 5 members as follows:

9 (1) Three members from a list of nominees submitted by the board. The list
10 submitted by the board must include individuals recommended to the board by
11 established veterans' service organizations with chapters in the State and
12 organizations and individuals who have demonstrated leadership in their fields;
13 and

14 (2) Two members who are not members of the United States Armed Forces or the
15 National Guard or veterans and who are not on the list of nominees submitted by
16 the board pursuant to subparagraph (1).

17 B. The President of the Senate shall appoint 4 members as follows:

18 (1) Three members from a list of nominees submitted by the board. The list
19 submitted by the board must include individuals recommended to the board by
20 established veterans' service organizations with chapters in the State and
21 organizations and individuals who have demonstrated leadership in their fields;
22 and

23 (2) One member who is not a member of the United States Armed Forces or the
24 National Guard or a veteran and who is not on the list of nominees submitted by
25 the board pursuant to subparagraph (1).

26 C. The Speaker of the House shall appoint 4 members as follows:

27 (1) One member from a list of nominees submitted by the board. The list submitted
28 by the board must include individuals recommended to the board by established
29 veterans' service organizations with chapters in the State and organizations and
30 individuals who have demonstrated leadership in their fields;

31 (2) One member who is not a member of the United States Armed Forces or the
32 National Guard or a veteran and who is not on the list of nominees submitted by
33 the board pursuant to subparagraph (1);

34 (3) One member who is a veteran who identifies as Black or African American or
35 Native American from a list of recommendations submitted to the board by
36 established organizations that represent the interests of Black or African American
37 or Native American veterans in the State; and

38 (4) One member who identifies as Black or African American or Native American
39 who is not a member of the United States Armed Forces or the National Guard or
40 a veteran and who is not on the list of nominees submitted by the board pursuant
41 to subparagraph (1).

1 The membership of the board must reflect the diversity of the State, including, but not
2 limited to, diversity in geographic location, cultural and ethnic background, race, sexual
3 orientation, gender identity and professional experience. A majority of members must be
4 honorably discharged veterans.

5 **Sec. 3. 37-B MRSA §611**, as amended by PL 2021, c. 528, §8, is further amended
6 to read:

7 **§611. Annual reports**

8 By February 15, 2023 and annually thereafter, the board shall submit a report to the
9 Governor and the joint standing committee of the Legislature having jurisdiction over
10 veterans affairs. This report must contain a copy of audited financial statements, statistics
11 on members who resided in the homes during the year, any amendments to the rules
12 regarding the administration of the homes made by the board since its last report on the
13 administration of the homes, a description of any efforts to seek funding as required under
14 section 604, subsection 6; and an analysis of staffing levels, funding and ability of the
15 homes to meet the mission of providing members quality care. The report must also contain
16 an overview of the annual quality assurance and performance improvement plan as required
17 under 42 Code of Federal Regulations, Section 483.75 and residents' council activities as
18 required under Department of Health and Human Services rule Chapter 110: Regulations
19 Governing the Licensing and Functioning of Skilled Nursing Facilities and Nursing
20 Facilities. The report must contain the goals and actions taken to achieve the desired
21 outcomes outlined in the quality assurance and performance improvement plan and a
22 summary of issues, recommendations and action plans resulting from the residents' council
23 operating in each home. The report must include recommendations to the Governor and
24 Legislature and information regarding such other matters as the board considers pertinent.
25 The joint standing committee of the Legislature having jurisdiction over veterans affairs
26 may report out legislation based upon the report.

27 **Sec. 4. Transition.** Notwithstanding the Maine Revised Statutes, Title 37-B, section
28 603, a member of the Board of Trustees of the Maine Veterans' Homes serving on the board
29 on the effective date of this Act may serve the remainder of that member's term.
30 Appointments must be made on a rotating basis as each term ends by the Governor, the
31 President of the Senate and the Speaker of the House until the 13 appointed members have
32 been replaced or reappointed. Thereafter, vacancies on the board must be filled according
33 to the appointing authority under Title 37-B, section 603.

34 **SUMMARY**

35 This bill accomplishes the following.

- 36 1. It updates the membership criteria of the Board of Trustees of the Maine Veterans'
37 Homes and alters the appointing authority for appointing members to the board.
38 2. It updates the reporting requirements of the board's annual report.