

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

FIRST REGULAR SESSION
December 2, 2020 to March 30, 2021

FIRST SPECIAL SESSION
April 28, 2021 to July 19, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 18, 2021

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2021

Office for Family Independence Z020

Initiative: Provides one-time funding for required technology changes.

GENERAL FUND	2021-22	2022-23
All Other	\$6,000	\$0
GENERAL FUND TOTAL	<u>\$6,000</u>	<u>\$0</u>
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$6,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$6,000</u>	<u>\$0</u>

See title page for effective date.

**CHAPTER 116
H.P. 680 - L.D. 924**

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

Sec. 1. Task force established. Resolved:

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

Sec. 2. Membership. Resolved: That, notwithstanding Joint Rule 353, the task force consists of 27 members as follows:

1. One member of the Senate who serves on the Joint Standing Committee on Labor and Housing, appointed by the President of the Senate;
2. One member of the House of Representatives who serves on the Joint Standing Committee on Education and Cultural Affairs, appointed by the Speaker of the House;
3. One member of the House of Representatives who serves on the Joint Standing Committee on Health and Human Services, appointed by the Speaker of the House;
4. The Commissioner of Education or the commissioner's designee;

5. The Commissioner of Health and Human Services or the commissioner's designee;

6. The Commissioner of Labor or the commissioner's designee;

7. One representative from the office of aging and disability services within the Department of Health and Human Services;

8. One representative from the Department of Health and Human Services, Office of Child and Family Services;

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

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

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

- A. One member who represents an advocacy organization for young adults with disabilities;
- B. One member who represents a statewide organization of parents of young adults with disabilities;
- C. One member who represents a statewide association for adult education;
- D. One member who represents a statewide association for career and technical education;
- E. One member who represents the University of Maine System;
- F. One member who represents the Maine Community College System;
- G. One member who represents a statewide association of administrators of services for children with disabilities;
- H. One member who represents community-based providers of services for young adults with disabilities;
- I. One member who represents a statewide organization that provides information and resources for parents and professionals who work with families that have a family member who has a disability;
- J. Five members who are parents or guardians or direct care providers of a young adult with a disability; and
- K. Three members who are each a young adult with a disability who is eligible to receive services from the State.

Sec. 3. Chair; meetings. Resolved: That the Commissioner of Education shall appoint a chair of the task force and convene the initial meeting of the task force no later than 30 days following the effective date

of this resolve. The task force shall hold a minimum of 4 meetings.

Sec. 4. Duties. Resolved: That the task force shall study the barriers to accessing higher education and vocational opportunities for young adults with intellectual disabilities, developmental disabilities, acquired brain injury and similar conditions and make recommendations to improve access to higher education and vocational opportunities, including but not limited to:

1. The degree to which transition planning services, as required by the federal Individuals with Disabilities Education Act, are effective in helping students with intellectual disabilities, developmental disabilities, acquired brain injury and similar conditions identify educational and vocational opportunities and in preparing students to access these opportunities;
2. The benefits, assessments, expansion and availability of continuing educational opportunities for young adults with intellectual disabilities, developmental disabilities, acquired brain injury and similar conditions;
3. The vocational opportunities and work support services available to young adults with intellectual disabilities, developmental disabilities, acquired brain injury and similar conditions; and
4. The degree to which case managers and individualized education program teams engage with and connect students and their families with adult services that provide vocational supports, including home and community-based services waivers available through the Department of Health and Human Services, office of MaineCare services and office of aging and disability services.

In conducting its duties under this section, the task force shall focus on the population of young adults 18 years of age and older eligible for, or likely eligible for, adult services provided through the following MaineCare home and community-based services waiver programs: Department of Health and Human Services rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 18, Home and Community-Based Services for Adults with Brain Injury; Chapter II, Section 20, Home and Community Based Services for Adults with Other Related Conditions; Chapter II, Section 21, Home and Community Benefits for Members with Intellectual Disabilities or Autism Spectrum Disorder; and Chapter II, Section 29, Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder. The task force shall also develop recommendations to enhance the coordination of school districts, case managers and adult services to ensure the most efficient and effective provision of educational and vocational services, including continuing purposeful individualized education, development of self-

determination and personal advocacy skills, work supports and job training. The task force shall analyze current data and retrospective data for the past 6 years and provide the measurable success rate of programs providing these essential services, with consideration of the preferences, strengths and interests of individual young adults with intellectual disabilities, developmental disabilities, acquired brain injury and similar conditions and parental concerns.

Sec. 5. Staff assistance. Resolved: That the Department of Education shall provide the task force with staff assistance from existing resources.

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

Sec. 7. Final report. Resolved: That, notwithstanding Joint Rule 353, no later than one year after the initial convening of the task force under section 3, the task force shall submit a report that includes its findings and recommendations for presentation to the Joint Standing Committee on Education and Cultural Affairs, the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Labor and Housing.

See title page for effective date.

**CHAPTER 117
S.P. 310 - L.D. 958**

**Resolve, Directing the
Department of Health and
Human Services To Conduct a
Review of Rules Governing In-
home Personal Care Assistance
Services**

Sec. 1. Review of statutory authority governing home care services. Resolved: That the Department of Health and Human Services shall review its statutory and regulatory authority over home care agencies that provide direct care services in the home to