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SPEAKER OF THE HOUSE

February 27, 2024

*Testimony of Speaker Rachel Talbot Ross presenting*  
**LD 2211, An Act Regarding Quality of Care and the Board of Trustees at the  
Maine Veterans' Homes**  
*Before the Joint Standing Committee on Veterans' and Legal Affairs*

Good afternoon Senator Hickman, Representative Supica, and esteemed members of the Joint Standing Committee on Veterans' and Legal Affairs. My name is Rachel Talbot Ross. I represent House District 118, and I serve as Speaker of the House. I am proud to present before you **LD 2211, An Act Regarding Quality of Care and the Board of Trustees at the Maine Veterans' Homes**.

I present this legislation as the proud daughter of a military veteran. My father, Gerald E. Talbot, served in the Army from 1953 to 1956; originally from Bangor, he moved to Portland following his service, where he raised our family and lived until his retirement to the Maine Veterans' Homes facility in Scarborough. Through his experiences, I have come to understand how critical it is to ensure continued quality of care to our veterans, who put their lives at great risk to serve our country in the armed forces. In August 2022, 4.9 million veterans, or 27 percent of all veterans, had a service-connected disability.<sup>1</sup> Veterans experience mental health disorders, substance use disorders, post-traumatic stress, and traumatic brain injury at disproportionate rates compared to their civilian counterparts.<sup>2</sup> Further, the suicide rate for veterans is one and a half times higher than that of the general population.<sup>4</sup> The long-term health impacts stemming from military service are serious, and they necessitate high-quality, attentive, and accessible care for veterans as they age.

At the legislative level, we have a major role to play in ensuring the quality of that care. Significant numbers of Maine's veterans and their families are provided skilled nursing care and

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<sup>1</sup> Bureau of Labor Statistics, U.S. Department of Labor. "Employment Situation of Veterans – 2022." BLS press release, March 21, 2023. <https://www.bls.gov/news.release/pdf/vet.pdf> accessed February 26, 2024.

<sup>2</sup> Olenick, Maria, Monica Flowers, and Valerie Diaz. "US Veterans and Their Unique Issues: Enhancing Health Care Professional Awareness." *Advances in Medical Education and Practice*, December 2015, 635–39. <https://doi.org/10.2147/amep.s89479>.

rehabilitative services by Maine Veterans' Homes, which operates homes in Augusta, Bangor, Caribou, Machias, Scarborough and South Paris. The organization receives significant state and federal funding<sup>3</sup>, and its administration is governed by a Board of Trustees, which is composed of honorably discharged Veterans and non-veteran community members who represent the various Veteran organizations, interests, and geographic regions of the state. The Board is currently appointed almost entirely by the Governor, and it is required to report audited financial statements, statistics on occupancy, information about efforts to seek funding, and recommendations to the Legislature on proposed policy changes.

In the interest of accountability to the Legislature in pursuit of quality of care, this bill proposes to make the following changes:

1. First, it expands legislative participation in appointing the membership of the Board of Trustees, and updates the requirements of those appointments to ensure greater racial equity; and
2. Second, it expands the reporting requirements of the board's annual report to include assessments of quality of care.

I'll begin with the recommendation regarding membership, and then will expand upon the reporting requirements. In its current form, the board has 13 members, one of whom must be the Director of the Maine Bureau of Veterans' Services, ex officio, who serves without term. The Governor appoints the remaining twelve members. Nine members come from a list compiled by the Board; this list must include individuals recommended to the board by established veterans' service organizations with chapters in the State and organizations and individuals who have demonstrated leadership in their fields. Further, the Governor must appoint three members who are not members of the United States Armed Forces or the National Guard or veterans and who are not on the list of nominees I just mentioned.

I would propose that in addition to the Director of the Maine Bureau of Veterans' services, ex officio, the Board be reconstructed to look as follows:

1. Of the members coming from the list of nominees submitted by the board, which must include established veterans' service organizations with chapters in the State and organizations and individuals who have demonstrated leadership in their fields:
  - a. Three appointments shall be made by the Governor,
  - b. Three appointments shall be made by the Senate President, and
  - c. Two members shall be made by the Speaker of the House.
2. Of the members who are not members of the United States Armed Forces or the National Guard or veterans and who are not on the list of nominees submitted by the board I just mentioned:

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<sup>3</sup>Maine Veterans' Homes, *Annual Report to Veterans' and Legal Affairs Committee*, <https://legislature.maine.gov/doc/9732> accessed February 26, 2024.

- a. Two appointments shall be made by the Governor,
- b. One appointment shall be made by the Senate President, and
- c. Two appointments shall be made by the Speaker of the House.

These changes to board appointments will ensure both legislative participation in board appointments and equity in the board's membership. **I'd like for the committee to make one change to the bill as it is now:** as it reads, two of the members appointed by the Speaker, one from the board's list of recommendations and one other, must identify as Native American, Black, or African American. While this is the spirit of the bill, we would like to be clear in bringing a specific experience to this board, and recommend that these two members be described as follows: "a member who is a veteran and member of a group that is overrepresented in military service relative to their share of the national population". This delineation includes African American, Black, and Native American veterans<sup>4 5</sup>, who have historically been limited from accessing many of the same veterans' benefits as their white counterparts<sup>6</sup>. This will thus ensure the representation of communities who serve our country at disproportionately high rates – according 28.9% of women and 16.4% of men in active duty service are Black, despite the population being 13% Black<sup>7</sup>. This will in turn ensure that the Board of Trustees is better able to meet the needs of all veterans.

Further, this bill would expand the requirements for the Board's annual report to this committee and the Governor. In addition to submitting fiscal information and occupancy data, the Board must also submit the following:

1. An analysis of staffing levels, funding and ability of the homes to meet the mission of providing members quality care;
2. An overview of the annual quality assurance and performance improvement plan as required by federal law<sup>8</sup>, and residents' council activities as Department of Health and Human Services rule Chapter 110;
3. The goals and actions taken to achieve the desired outcomes outlined in the quality assurance and performance improvement plan; and

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<sup>4</sup> Reeves, Richard V., and Nzau, Sarah. "Black Americans are much more likely to serve the nation, in military and civilian roles", Brookings Institute, August 27, 2020. <https://www.brookings.edu/articles/black-americans-are-much-more-likely-to-serve-the-nation-in-military-and-civilian-roles/>, accessed February 26, 2024.

<sup>5</sup> "American Indian and Alaska Native Veterans: 2017", Department of Veterans' Affairs, May 2020. <https://www.va.gov/vetdata/docs/SpecialReports/AIAN.pdf>, accessed February 26, 2024.

<sup>6</sup> Turner, Sarah E. and Bound, John. "Closing the Gap or Widening the Divide: The Effects of the G.I. Bill and World War II on the Educational Outcomes of Black Americans", National Bureau of Economic Research, July 2002. [https://www.nber.org/system/files/working\\_papers/w9044/w9044.pdf](https://www.nber.org/system/files/working_papers/w9044/w9044.pdf), accessed February 26, 2024.

<sup>7</sup> <https://www.statista.com/statistics/214869/share-of-active-duty-enlisted-women-and-men-in-the-us-military/>

<sup>8</sup>42 Code of Federal Regulations, Section 483.75

4. A summary of issues, recommendations and action plans resulting from the residents' council operating in each home.

As you've seen today, Maine Veterans' Homes submits much of this information to this committee already. But this statutory change would ensure that information regarding the quality of care and compliance with state and federal law is provided for the Legislature, allowing for thoughtful, informed policy-making concerning our veterans.

I believe we must help ensure that those Mainers who have served our country through military service are granted a high quality of life through a high quality of care. This bill's changes to the Board of Trustees at Maine Veterans' Homes would expand legislative participation in determining its structure, and would enhance the reporting required; both measures would be steps towards greater accountability to the Legislature and to the people of Maine on behalf of our veterans. I urge you to support this bill, and I'm happy to answer any questions you may have.