

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND TWENTY-FIVE

—  
H.P. 15 - L.D. 51

**An Act to Increase Oversight of Fatalities of and Serious Injuries to Adults  
Subject to Public Guardianship**

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

**Sec. 1. 22 MRSA §264, sub-§2, ¶A**, as enacted by PL 2021, c. 398, Pt. MMMM, §2, is amended to read:

A. "Adults receiving services" means adults receiving home-based and community-based services under 42 Code of Federal Regulations, Part 441 and adults subject to public guardianship under Title 18-C, Article 5.

**Sec. 2. 22 MRSA §264, sub-§3**, as enacted by PL 2021, c. 398, Pt. MMMM, §2, is amended to read:

**3. Composition.** The panel consists of ~~up to 15 members and includes health care providers, social service providers, public health officials and other persons with professional expertise on the health and mortality of adults with disabilities and adults who are aging.~~ The commissioner shall appoint the members of the panel unless otherwise specified. ~~At a minimum, the~~ The panel consists of the following members:

- A. The person who is lead staff attorney for investigations for the Office of the Attorney General or that person's designee;
- B. The person who is lead staff attorney for health care crime investigations for the Office of the Attorney General or that person's designee;
- C. A person within the department responsible for licensing and certification;
- D. A person within the department responsible for aging and disability services;
- D-1. A person within the department responsible for adult protective services;
- D-2. A member of the general public with lived experience as an adult receiving services;
- E. The executive director of the statewide protection and advocacy agency for individuals with disabilities contracted by the department pursuant to Title 5, section 19502 or the executive director's designee;

F. The executive director of the long-term care ombudsman program as established in section 5106, subsection 5 or the executive director's designee;

G. A member of the Maine Developmental Services Oversight and Advisory Board as established in Title 5, section 12004-J, subsection 15 as nominated by that board;

H. A An advanced practice registered nurse who is licensed under Title 32, chapter 31 or a health care provider who is licensed under Title 32, chapter 36 or 48 and who has expertise and experience in delivering services to individuals with intellectual disabilities or autism nominated by a statewide association representing physicians;

H-1. An advanced practice registered nurse who is licensed under Title 32, chapter 31 or a health care provider who is licensed under Title 32, chapter 36 or 48 and who has experience as a primary care provider.

I. A representative of the developmental service provider community who has expertise regarding community services for individuals with intellectual disabilities or autism;

J. A representative of the provider community serving older adults and adults with physical disabilities who has expertise in home-based and community-based services;

K. A representative of the provider community who has expertise in delivering home-based and community-based services to individuals with brain injuries or other related conditions; and

L. A person who has expertise in forensic pathology.

**Sec. 3. 22 MRSA §264, sub-§5, ¶B**, as enacted by PL 2021, c. 398, Pt. MMMM, §2, is amended by amending subparagraph (5), division (d) to read:

(d) Documents related to an adult protective case, including documents related to public guardianship, or investigation; and

**Sec. 4. 22 MRSA §264, sub-§5, ¶H**, as enacted by PL 2021, c. 398, Pt. MMMM, §2, is amended by amending subparagraph (1) to read:

(1) Name, age, sex, race or ethnicity, guardianship status and type of disability or condition of the adult receiving services who is deceased;