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Resolve, To Reconcile Conflicts between the Home and Community-based Waiver Program for the Elderly and Adults with Disabilities and the Requirements of the Department of Health and Human Services and the Department of Public Safety

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation must take effect before the expiration of the 90-day period in order for the report of the stakeholder group, to be convened by the Commissioner of Health and Human Services and the Commissioner of Public Safety, to be timely filed; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1 Stakeholder group. Resolved: That the Commissioner of Health and Human Services and the Commissioner of Public Safety shall jointly convene a stakeholder group to determine the most appropriate home-like, community-based residential settings for residents participating in the home and community-based waiver program for the elderly and adults with disabilities that are consonant with ensuring their safety and maintaining the program's cost-effectiveness. The stakeholder group must include representatives of the office of aging and disability services and the division of licensing and regulatory services within the Department of Health and Human Services, representatives of the Office of the State Fire Marshal within the Department of Public Safety and stakeholders in the community, including individuals with disabilities who participate in the home and community-based waiver program, their advocates and their providers of services. The stakeholder group shall determine and develop a plan to address the licensing and regulatory requirements that adversely affect the program's cost-effectiveness and that are not necessary for the health and safety of the residents; and be it further

Sec. 2 Report. Resolved: That the stakeholder group under section 1 shall prepare and submit a report based on its determinations and including its plan to the Commissioner of Health and Human Services and the Commissioner of Public Safety by May 1, 2015. The commissioners or their designees shall submit the report and any legislation necessary to implement the plan to the Joint Standing Committee on Health and Human Services by May 15, 2015. The joint standing committee may report out a bill based on the report and plan to the First Regular Session of the 127th Legislature.

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

SUMMARY

Resolve, To Reconcile Conflicts between the Home and Community-based Waiver Program for the Elderly and Adults with Disabilities and the Requirements of the Department of Health and Human Services and the Department of Public Safety

This resolve directs the Commissioner of Health and Human Services and the Commissioner of Public Safety to convene a stakeholder group to resolve ongoing issues between the home and community-based waiver program for the elderly and adults with disabilities and the requirements of the Department of Health and Human Services and the Department of Public Safety. The stakeholder group is directed to report with a plan to resolve the issues to the commissioners by May 1, 2015. The commissioners are directed to submit by May 15, 2015 the report and any legislation necessary to implement the plan to the Joint Standing Committee on Health and Human Services, which is authorized to submit a bill to the First Regular Session of the 127th Legislature.