

Janet T. Mills
Governor

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Commissioner



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April 10, 2023

Senator Joseph Baldacci, Chair
Representative Michele Meyer, Chair
Members, Joint Standing Committee on Health and Human Services
100 State House Station
Augusta, ME 04333-0100

Re: LD 208 - *An Act Concerning Home Care Services*

Senator Baldacci, Representative Meyer, and Members of the Joint Standing Committee on Health and Human Services:

This letter provides information regarding LD 208, *An Act Concerning Home Care Services*. The Department of Health and Human Services (DHHS) is neither for nor against this bill.

The bill would require DHHS to do the following:

- Establish a waiting list for individuals eligible to receive home care services under rule Chapter 101; MaineCare Benefits Manual, Chapters II and III, Section 19, Home and Community Benefits for Elderly and Adults with Disabilities, and MaineCare State Plan Section 96, Private Duty Nursing and Personal Care Services;
- Publish certain information about the waiting lists on its publicly accessible website;
- Submit an annual report to the joint standing committee of the Legislature having jurisdiction over Health and Human services matters relating to the waitlist; and
- Contract with a 3rd party entity to conduct assessments for children who have not attained 21 years of age that are eligible for private duty nursing and personal care services provided in residential settings or other settings where normal life activities take place.


Neither Section 19 nor Section 96 have program waitlists. Once an adult MaineCare member has been found eligible for these services through a functional assessment, the member is referred to a Service Coordination Agency to identify providers and authorize services. Some providers maintain wait lists for prospective new clients. However, if this bill is referring to wait lists maintained by individual providers, the Department does not have a mechanism for collecting and compiling that data. In order to do so, the Department would need to procure a system for collecting such information and adopt rules requiring providers to report into the system, and the fiscal note would need to be amended.

OADS does maintain a webpage where program-level waitlist information for home and community-based programs is publicly posted on a quarterly basis.

Currently, MaineCare members under twenty-one years of age are assessed by the Private Duty Nursing agencies that will provide staffing for them. There is no current assessment conducted by a third-party vendor, as there is for adults (the “Maximus” assessment). If the Department were required to develop a third-party assessment for children, a vendor would need to be procured and funds appropriated for development and ongoing assessment costs.

We wanted you to be aware of the above information as you consider this bill going forward. If you have any further questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Paul Saucier".

Paul Saucier
Director, Office of Aging and Disability Services