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In Support of LD 744

*An Act to Ensure Access to Services for Adults with Intellectual and Developmental Disabilities
by Requiring Rate Studies for Home and Community-based Services*

Joint Standing Committee on Health and Human Services April 13, 2023

Good afternoon, Senator Baldacci, Representative Meyer and esteemed members of the Health and Human Services Committees.

My name is Michelle Raymond. I am the Chief Executive Officer for Northern Maine General (NMG), a not for profit social services organization that has been serving individuals throughout Aroostook County for over 115 years. Our mission is to provide individuals with the highest standards of care and help all of the people we serve enjoy life to their fullest potential.

NMG provides a wide range of services to approximately 250 individuals across a variety of specialized programs supported by MaineCare, such as long term care, behavioral health, targeted case management, and home and community supports for children and adults.

I am writing to offer testimony in strong support of LD 744 which would direct DHHS to conduct rate studies and rate determinations for home and community benefits and support services for members of the MaineCare program with intellectual disabilities or autism spectrum disorder; including Agency Home Supports and Community Support Services.

When I compared NMG's data from 2017 vs today, our employee base has reduced by 60% across all programs and the numbers of people we are able to support has reduced by 38%. This leaves an imbalance between the number of remaining employees available and those individuals we work with. The decrease in the workforce ramped up even more over these last 4 years with the minimum wage changes in Maine and the difficulties of working through the pandemic. In the remaining group homes NMG operates, 30% of all hours worked are overtime hours (OT) worked by the Direct Support Professional (DSP) and their supervisors in order to meet the individuals' needs. We are averaging 80 hours of OT each week, in each home. Specific to the residential programs impacted by LD744, this translates to the average full time DSP working an average of 60+ hours across a six-day workweek, every week. This pattern has caused us to incrementally close homes. NMG closed 4 homes that served 11 individuals between 2017 and

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2021, all because of an insufficient workforce, in part aggravated by an impractical rate assumption. Currently we have 3 homes supporting 14 individuals and have been considering closing another home due to the continued and unresolved staffing shortage. From a business and financial perspective, we should have closed all these homes already. Four years ago we stopped all in-home quarter-hour supports we provided to people who are more independent and live in their own homes because they usually have family and other natural supports to help. We made that decision because we needed all the staff we had available to meet the needs of those who are the most vulnerable, which are those individuals typically supported in a waiver or group home.

In regards to our Community Supports program, we have had to reduce the numbers of those we can support because of staffing shortages by 64% during this same time period. We have not been able to offer additional programs proposed by the department such as community membership, and work supports, because we have not been able to obtain and maintain the staff resources to do it. While the department and the HCBS rules typically encourage smaller groups of people to be supported at a time, we have not been able to take on those services because staffing is in short supply, and smaller groups and more individualized activities require more staff resources that we just do not have. I have not touched on what the costs have been to operate these homes under the newer HCBS regulations and the department's method of implementing the rules.

Simply put, individuals with disabilities are not getting their needs met. Many individuals have been forced to leave their home, their neighborhoods and communities, including familiar staff who understand their unique and preferred communication style, and start over in a place that may have an open bed, 4 hours' drive away. They are being involuntarily discharged from a fully environmentally adapted home specific to their disabilities to go live in another location that likely isn't modified.

While I appreciate the Department's recent efforts to invest in workforce development and the latest COLA's, these responses were too late for those people already discharged and is still not addressing those who still need and are waiting for services. There needs be more consideration given to a rate that will sustain a more competitive wage for the DSP's. A rate study of *Maine's* Intellectual and Developmental Disability (IDD) providers would help the department become more cognizant of the actual cost of the services provided today. Rate setting should also recognize a DSP as a critical staff in their industry, and they should be paid a rate that encourages them to stay in the field. The 125% of minimum wage legislation helped to meet the minimum wage increases but didn't address the top tiers of the experienced staff. We have DSP's that have worked for over 25 years and are now leaving because they just can't continue to work the long hours at the expense of time with their families. People are leaving after 20 years, because they don't want to stay working in this field when they know they can get paid the same as the high school employee at the nearby convenient store or fast food place and have less responsibility. NMG is considering closing another home right now, because if just one more staff leaves, whether that be retirement, a change in field, an unplanned illness/event or simply to obtain a similar or better paying job with less responsibility and less pressure to work long weeks, the supports will not be able to continue. The people of Maine deserve better.

Thank you for your time and consideration of my testimony. Please contact me with any questions you may have.

Respectfully

Michelle Raymond, Chief Executive Officer

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Town of Eagle Lake