

## **LD 2009: An Act to Prevent Abandonment of Children and Adults with Disabilities in Hospitals**

My name is Diane Boas and I am the parent and legal guardian of a 32 yr son with an intellectual disability and an anxiety disorder. Over the past three years, he was admitted to the psychiatric unit at Maine Medical Center's Emergency Department (ED) approximately 30 times. Once he spent 10 days there. Your decision on this bill directly affects my son, my family, and hundreds of others just like us in Maine.

My son periodically has significant behavioral challenges including self-harm and physical aggression toward us, his parents and towards the caregivers in his group home. When his behavior is very dangerous, the police bring him to the ED. In the ED, my son feels safe and usually calms down within 24-48hrs. Once he is stable, he can and should be discharged - no argument there. The critical question is, where should he go?

There often is neither an appropriate placement or services for my son. Maine lacks the services to support adults with I/DD who have complex behavioral needs. That is the problem that needs to be addressed.

This bill avoids the need to address the reasons why individuals with I/DD and/or mental health (MH) problems languish in hospitals. Instead, this bill punishes individuals and their guardians for their failure to access services that do not exist. This bill threatens individuals and their guardians with the hostile action of placement in adult protective services. Such placement would only further destabilize my son. And if I failed to bring my child home, even when he is dangerous, this bill would likely have me removed as his guardian.

This bill is a vicious and unethical response to a complex issue.

This bill pits healthcare institutions against community service providers and families and ignores what's in the best interest of the individual with I/DD. My son should not board in a hospital or threaten the safety of his family and caregivers, nor should he be placed against his will in foster care. He and others deserve a team of stakeholders to work together to find the right care setting for him.

The Lifespan waiver is under development. And you will be voting soon on LD 1003 (so-called no eject, no reject policy). You can help ensure that agencies can offer a livable wage to hire staff to support residents with the highest needs. You can help ensure Maine has a functional crisis system. It is through these efforts that you will address the underlying causes of long-term unnecessary hospitalizations.