



Board Members

Jennifer Putnam
Executive Director, Waypoint
Board President

Bill Shanahan
Co-Founder & Senior Advisor, Evernorth
Board Treasurer

Gunnar Hubbard
FAIA, LEED Fellow, Climate-Forward
Catalyst for the AEC Industry
Board Secretary

David Birkhahn
Vice President, TD Bank

Elizabeth Boepple
Partner, Murray, Plumb, & Murray

Cheryl Harkins
Advocate, Homeless Voices for Justice

Ninette Irabaruta
Senior Director, Community Engagement
& Outreach United Way of Southern ME

Chip Newell
Principal, The NewHeight Group

Luc Nya
Mental Health Program Coordinator
OCFS/Corrections Liaison, Maine DHHS

Angela Perkins
Westbrook Resident

Thomas Ptacek
Advocate, Portland Resident

Jennifer Rottmann
Deputy Director/CFO, The Genesis Fund

John Ryan
Co-Founder and Board Chair,
Wright-Ryan Construction

Aaron Shapiro
Retired Community Development
Director, Cumberland County

Kimberly Twitchell
Senior Director of Affordable Housing,
NBT Bank

Staff Contacts

Cullen Ryan
Executive Director

Samantha Messick
Operations Director

Vickey Merrill
Advocacy Director

Chris Harmon
Finance Director

Jenny Jimino
Office Manager

Bree LaCasse
Development Director

Brian Kilgallen
Development Officer

Sarah Gaba
Asset Management Director

Meredith Smith
Supportive Housing Manager

Sarah Derosier
Asset Manager

Sam Lowry
Compliance Manager

March 18, 2025

Re: LD 769, An Act Regarding Access to Behavioral Health Supports for Adults with Certain Disabilities

Senator Ingwersen, Representative Meyer, and members of the Health and Human Services Committee, My name is Cullen Ryan, and I am the Executive Director of Community Housing of Maine or CHOM. I am also the parent of a 28-year-old son with Intellectual/Developmental Disabilities (ID/DD). I serve as Chair of the Maine Coalition for Housing and Quality Services, a coalition of some 4000 people, consisting primarily of parents, that focuses on housing and quality services for people with ID/DD. I also serve as chair of the Maine Developmental Services Oversight and Advisory Board (MDSOAB).

I am testifying on behalf of myself and CHOM in opposition to LD 769, An Act Regarding Access to Behavioral Health Supports for Adults with Certain Disabilities. *This bill amends the law governing access to behavioral health supports for adults with an intellectual disability or autism by replacing a complex multiparty review process, which currently includes a representative from the department, a representative from the advocacy agency designated pursuant to Title 5, section 19502 and a representative designated by the Maine Developmental Services Oversight and Advisory Board, with a clinical review requirement. It also removes the authority to use restraints on adults except as an emergency short-term step to protect the adult from imminent injury to that adult or others. It also codifies existing rules on safety devices, making it clear that such devices are not considered positive behavioral health support plans and therefore do not require the same level of review as positive behavioral health support plans. Also, to conform with current practice, the bill repeals a provision of law regarding the authority of providers of residential services to establish house rules in residential units owned or operated by the provider.*

I want to first say that I am pleased that the Department and others are working to move the needle on the use of restraint and preserving the dignity and rights of people with intellectual/developmental disabilities (ID/DD) in Maine. That is the right thing to do.

I commend the Department for its thoughtful approach to the stakeholder group that it convened for more than a year to delve into behavioral health support and the ways in which it can be improved. My understanding is that this group did not reach consensus or directly help with bill language.

There are a lot of changes and important details included in this bill, and I am moved by how many seasoned stakeholders have expressed numerous concerns. That should give you pause. As currently written, this bill seems to have too many flaws and potential unintended consequences be passed. Though I could see us arriving at a place where there's mutual agreement, this isn't yet it.

I can picture a world in which we largely no longer need restraints. It would take each individual being surrounded by stable and sufficient support involving long-term relationship work. As it stands, our workforce is a revolving door, people are suffering from abandonments as a result, and our crisis system is over capacity. People who are in the midst of crisis and instability are more likely to be out of control and need some methodology for regaining their composure. Restraints, as imperfect as they are, are one of the tools to provide people with a mechanism for regaining composure. Maine is not ready to abandon them entirely or the oversight that should accompany them. Our system is not ready to abandon its oversight – on the contrary – it needs oversight to get the details right. If we can move the system to where everyone has the stability they need, we should revisit this. Until then, we should keep the guardrails in place to ensure people make it safely through periods of crisis which we can and should expect to continue until we have a stable, reliable, and predictable system of care.

This bill needs to be rewritten. The lengthy list of flaws is significant. Let's work together and take the time to get this right.

Thank you for the opportunity to comment.