



Testimony of Laura Cordes

In Opposition to

LD 979 Resolve, Regarding Legislative Review of Chapter 113: Assisted Housing Programs Licensing Rule, a Late-filed Major Substantive Rule of the Department of Health and Human Services

Joint Standing Committee on Health and Human Services

April 1, 2025

Senator Ingwerson, Representative Meyer, and esteemed members of the Health and Human Services Committee. Thank you for the opportunity to offer testimony on *LD 979 Resolve, Regarding Legislative Review of Chapter 113: Assisted Housing Programs Licensing Rule, a Late-filed Major Substantive Rule of the Department of Health and Human Services*.

My name is Laura Cordes, and I serve as the Executive Director of the Maine Association for Community Service Providers (MACSP). MACSP represents nearly 100 agencies that provide person-centered educational, vocational, residential, and community supports, as well as specialized services and care, to children and adults with intellectual disabilities, autism spectrum disorder, and brain injuries—helping them live full and meaningful lives in the community.

Our opposition to the rule concerns the inclusion of a small state MaineCare program, PNMI *Appendix F*. These homes for people with intellectual and developmental disabilities currently fall under this updated licensing rule, largely for nursing homes and residential care facilities. Several of our member organizations support individuals who reside in PNMI Appendix F homes. Several of our members operate PNMI Appendix F homes, and the requirements in this proposed rule do not align with the needs of their residents or the nature of their services.

As written, the rule applies a medical, nursing home-level model to all residents in PNMI Appendix F homes, regardless of individual needs. This is inappropriate for smaller homes that more closely resemble Section 21 group homes. Specifically, the proposed changes:

- Treat Level III and Level IV homes the same, imposing significant new requirements designed for large congregate care facilities, which do not reflect the realities of PNMI Appendix F homes.
- Introduce new facility standards, equipment, and food service requirements that are unnecessary for these settings.
- Mandate Residential Care or Multi-Level Care Administrative Licenses for home administrators, even though PNMI Appendix F homes operate under a different care model.

Beyond these concerns, the inclusion of PNMI Appendix F homes in this rule creates a direct conflict with the forthcoming Home & Community-Based Services (HCBS) Licensing Rule, which will be promulgated later this year and will be inclusive of PNMI Appendix F service locations. If the rule being considered today is

adopted as written, providers of PNMI Appendix F services will need to comply with these requirements now, only to have them change again in the near future. This would create significant regulatory confusion, unnecessary costs, and administrative burden for providers and the state alike.

For these reasons, we respectfully request that PNMI Appendix F homes be removed from the new Chapter 113 before final adoption and continue to meet current regulation requirements as outlined under the current rule until the Home & Community Based Services Licensing Rule is adopted. Delaying their inclusion until the HCBS Licensing Rule is in place will ensure a clear and consistent regulatory framework tailored to the needs of these homes and their residents.

Thank you for your time and consideration. We welcome any questions and would be happy to provide additional information for the work session

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