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To Whom It May Concern,

I am submitting this testimony on behalf of The Highlands retirement community in Topsham, Maine, and the 25 residents currently living in our secure Memory Care neighborhood, who would be directly and adversely impacted by the implementation of the revised Chapter 113 licensing rule. Under this revision, Assisted Living licensees would no longer be permitted to operate Dementia or Alzheimer's care units. Instead, only providers licensed as Residential Care Facilities would be eligible, as outlined in 22 MRS § 7852(4-A).

I respectfully contest the implementation of this provision and urge the Department and Legislature to consider the unintended consequences for residents, providers, and Maine's long-term care system.

The Department has stated that the structure of an Assisted Living facility, with private apartments, does not allow for adequate supervision of residents with dementia. While I understand the intent to ensure safety and quality, I must strongly disagree with the assumption that the Assisted Living model is inherently incompatible with excellent dementia care. At The Highlands, we have spent years developing a Memory Care program specifically designed to support this population. Our Memory Care neighborhood is not a traditional Assisted Living environment. It is a secure, purpose-built setting with enhanced staff training, environmental features that promote safety and reduce confusion, and programming tailored to the cognitive and emotional needs of our residents. We operate with intentional staffing levels, regular assessments, family engagement, and a commitment to person-centered care. Our team members receive ongoing dementia-specific training and are supported by clinical leadership to recognize changes in condition and intervene appropriately. We are proud to say that we have maintained a strong survey history, with few citations and no significant deficiencies in our Memory Care program. Our track record reflects the high standards we hold ourselves to—and the quality of care our residents receive.

For communities like ours, transitioning from an Assisted Living license to a Residential Care Facility license presents significant and, in some cases, insurmountable barriers:

- Extensive structural changes: Our residents live in private apartments designed with dignity, autonomy, and safety in mind. Residential Care licensure may require changes to the physical layout that are both costly and unnecessary given our current success.
- Staffing model adjustments: Residential Care licensing comes with distinct nursing and staffing requirements that differ from those in place now, requiring time and funding to modify.
- Administrator licensing requirements: Some current administrators, including myself, may not hold the Residential Care Administrator license required by the new rule, which would necessitate additional training and state certification.
- Costly compliance efforts: From infrastructure upgrades to regulatory re-surveys, the financial burden on communities is substantial—especially those not backed by large corporations or with limited margins.
- Disruption to care: Most importantly, forcing these changes could create instability and emotional distress for our residents, who thrive in consistent environments and with familiar caregivers.

Given these concerns, I respectfully request that the Department consider grandfathering the existing communities—estimated to be fewer than 10, with approximately 240 designated Memory Care beds—who are currently operating safely and in compliance under their Assisted Living licenses. Alternatively, we ask for a grace period of at least one year to allow affected communities to pursue relicensing without disrupting resident care.

I strongly believe that the goals of improved oversight and safety can be achieved

through strengthening quality standards within the existing Assisted Living framework rather than forcing reclassification that could reduce access to care and displace residents.

Thank you for your time and thoughtful consideration.

Sincerely,

Chelsie Mitchell

Senior Executive Director

The Highlands