



Testimony Neither For Nor Against

LD 980 “Resolve, to Create a Commission to Improve Oversight of the Long-term Care System”

Joint Standing Committee on Health and Human Services

March 28, 2025

Good morning, Senator Ingwersen, Representative Meyer, members of the Joint Standing Committee on Health and Human Services. My name is Nicole Marchesi. I am the Public Policy Advocate for the Maine Long-Term Care Ombudsman Program.

The Maine Long-Term Care Ombudsman Program provides advocacy for older and disabled residents of nursing homes, assisted living, and residential care and for recipients of home care, and participants in adult day programs. Additionally, the program provides advocacy for patients in hospitals that experience barriers in accessing the long-term services they need when they are ready for discharge.

We greatly appreciate the intent of this legislation that proposes the creation of a commission to consider the adequacy of the State’s system of inspections for long-term care facilities, best practices regarding long-term care industry regulation, the creation of more effective institutions of long-term care and to make recommendations regarding the results of the recommendations of the Commission to Study Long-term Care Workforce Issues. At the same time, we recognize the efforts currently being made to address quality of care both in nursing homes and assisted housing. The quality of services provided to older and disabled residents of nursing homes and assisted housing programs must always be our highest priority.

Current Efforts to Improve Quality Outcomes in Nursing Homes

- In February 2025, the Department adopted nursing facility rate reform implementing incentives for value-based payment for nursing facilities. Providers will be rewarded for meeting quality benchmarks including increased staffing, patient experience (satisfaction surveys), reduction in the use of antipsychotic medications and monitoring for urinary tract infections.
- Each nursing home must designate a quality champion. Support and assistance is being provided through monthly calls for technical assistance for providers with Department staff and advocates. The Ombudsman Program is actively participating in this effort.
- The Dementia Partnership to Improve Care in Nursing Homes is being reestablished to enhance person-centered dementia care and assist providers in implementing strategies to reduce the use of off-label antipsychotics.
- The Culture Change Coalition is meeting to focus on person-centered care and strategies for staff retention.

In terms of inspection surveys of nursing homes, all nursing homes must meet federal regulatory standards established by the Centers for Medicare and Medicaid (CMS). Surveys are carried out by the DHHS, Division of Licensing and Certification to determine compliance with the regulations.

Quality Care in Assisted Housing Programs

In January 2025, the Department provisionally adopted an amendment to the Assisted Housing Rule. We are heartened by the potential for adoption of the new rule. Over the past seventeen years, the needs of residents in assisted housing programs have increased significantly. The new rule would phase in increased staffing requirements, improved staff training requirements for memory care units, increased requirements for nursing assessment among other changes that will support improved care.

Should you choose to pass this legislation, we will be pleased to serve as a member informed by our extensive advocacy experience on behalf of older and disabled residents served in long-term care facilities. We would suggest including staff from the DHHS, Office of Aging and Disabilities on the Commission as well as a family member of a resident.

Thank you for your consideration.