



Testimony of Angela Westhoff, President & CEO Maine Health Care Association

Testimony before the Committee on Health and Human Services In Support of

LD 1243, An Act Regarding the Licensing of Assisted Living Facilities

Friday, April 11, 2025

Senator Ingwersen and Representative Meyer as well as Distinguished Members of the Health and Human Services Committee:

My name is Angela Westhoff, and I serve as the President & CEO of the Maine Health Care Association. We represent approximately 200 nursing homes, assisted living centers, and residential care facilities across the state. Our mission is to empower members to ensure the integrity, quality, and sustainability of long term care in Maine.

I am pleased to provide written testimony in support of **LD 1243, An Act Regarding the Licensing of Assisted Living Facilities**. This bill would allow the Department of Health and Human Services to issue more than one license, at the same license level, at the same location to an applicant for an assisted living or residential care facility license so long as construction on the facility had begun prior to October 1, 2023.

Long term care providers that began construction to add more beds should not be caught in an administrative black hole. In the last session, the legislature passed a department bill that prevents newly licensed long term care providers from having more than one license of the same type in the same location. For decades, providers have provided quality care while operating with multiple licenses. However, MHCA did not oppose that bill for several reasons, including that already established providers could maintain their multi-license status.

Unfortunately, during the bill's drafting and implementation process, some providers were already undertaking major steps of facility expansion -- including obtaining approval and making

significant financial investments -- with the understanding that they could add additional beds under a distinct license. LD 1243 would allow these providers to finish construction, potentially secure the license level they had planned on, and provide access to more beds to meet the increasing demand for long term care supports and services for older adults.

Access to long term care in Maine is severely challenged. There have been over 50 nursing home and residential care facility closures or conversions to lower levels of care since 2014. Nearly 70% of older adults are likely going to need long term care services at some point during their lives. And our older adult population is going to expand significantly in the next several years.

As this Committee is aware, there is another bill pending ([LD 979](#)) that reflects the Department's major substantive rule making effort that would significantly alter the licensure rules, regulatory framework, and staffing requirements for all Assisted Living, Residential Care Facilities, and Private Non-Medical Institutions in Maine. At the public hearing for that bill, MHCA testified in strong opposition. The **one-size-fits-all approach** to treating all residential care providers (RCF Level I-IV and PNMI Level I-IV) the same is problematic, not to mention entirely unrealistic to assume providers can hire an additional 600+ caregivers. Even if these additional staff could be found, there is zero funding available to help providers recruit and hire more direct caregivers. If that bill passes as drafted, providers that were in the middle of construction would be forced to comply with a new set of regulations regardless of the number of beds they would be adding to their newly constructed facility. The proposed new regulations wipe out virtually all distinctions between levels of residential care and PNMI.

At a time when access to care is dwindling, we should be removing administrative barriers for providers that are trying to meet demand and have no substantiated licensure violations. They are trusted caregivers in their communities and are seeking to make a difference.

Thank you for your time.