

My name is Barry Schklair. I have an adult son with intellectual disabilities who lives in a group home in South Portland with individuals of similar need.

I am a retired attorney, and an adjunct professor at Maine Law School. During my forty-year legal career I have had the opportunity to see first-hand the consequences of implementation of major statutory changes. As you know, the Lifespan Waiver will be a major substantive change. As with all major legislative changes, the drafters cannot predict all the possible outcomes of their legislation. Situations will arise that were not anticipated by the statute. There can be unintended consequences.

The Lifespan Waiver promises to improve the support and care of a vulnerable population. Whether or not the legislation succeeds in meeting that goal remains to be seen. What I can tell you, is that this population is particularly at risk to change. I know this from raising my son, and through that experience, meeting many others with intellectual disabilities that also struggle with change. When the Lifespan Waiver is finally rolled out - it will be the largest and most consequential change in how this population is served - in a generation. It is an untested policy. For these reasons, it will be essential to ascertain and address any adverse outcomes expeditiously. This will be especially important where serious harm may result or has resulted to covered individuals.

To ensure that timely remedial action is taken, it is imperative to maintain oversight as the new law is implemented and applied. This ongoing oversight is not only a necessity – it is a responsibility. LD 1606 through its requirement of data collection, will provide those charged with overseeing the Lifespan Waiver the information necessary to fulfill their mandate.

On behalf of my son, and others similarly situated, I urge you to support LD 1606.