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LD 1606

I am testifying in support of LD 1606 which establishes ongoing legislative oversight and stakeholder engagement for Maine's Lifespan Waiver. Current law requires only the initial rulemaking to be major substantive. This is appropriate since rules that require the exercise of significant agency discretion or could result in a loss or significant reduction in government benefits must be major substantive under Maine law. The Lifespan Waiver is complex and must be adaptable to meet a broad spectrum of needs. Its development will continue to require considerable discretion on the part of DHS in making major changes to how services are delivered. Our son is on the autism spectrum and is nonverbal. The benefits he receives under Section 21 are essential for his safety and well being. The possibility that services for our son and those with similar needs could be reduced without legislative oversight or review is a frightening prospect. This bill simply is requiring that DHHS follow Maine law in terms of the Lifespan Waiver rulemaking.

We also support the requirement in LD 1606 that DHHS provide data to the legislature concerning unmet needs identified in the Person Centered Plan. This data is crucial. Under Maine law, DHHS is required to provide this information annually and to ask for appropriate funding. DHHS has never complied with this requirement, and it is time that they start.