

Richard Estabrook
Brunswick
LD 2117

My name is Richard Estabrook. I am a member of the board of directors of Independence Association in Brunswick and a voting member appointed to the Maine Developmental Services Oversight and Advisory Board. The testimony below is entirely my own and not necessarily the views of either of the above organizations. I am writing in support of LD 2117, HP 1432, which seeks to alter and extend the timelines of Section 21.10-6 of the MaineCare Benefits Manual, "Residential Vacancies in Two-Person Homes".

This regulation REQUIRES the eviction of a resident of a home if the other resident dies or otherwise leaves the residence, if a new recipient of Section 21 services cannot be found within approximately 120 days. According to law (See 34-B Section 5604, first line) our system of care for persons with intellectual disabilities or autism is supposed to operate according to the principles of normalization. There is nothing "normal" about the operation of this regulation. The regulation places a huge burden on the remaining person and the provider for the remaining person. The provider must close the home and evict the remaining person, no matter how long the person has lived there, if another Section 21 recipient cannot be found within the 120 days. To my mind, this is outrageous. To lose one's home, because a housemate cannot be found?

Remember that there are 2,284 persons who have been waitlisted for Section 21 services, according to the latest public information available on the DHHS website (September 2025). For all practical purposes, only people who are priority one on the waitlist are eligible for placement. Those are people who are in acute, immediate need of adult protective services. Priority two people on the waitlist have to wait an average of over 8 years to get off the waitlist (according to the same September 2025 DHHS website). People in priority three have to wait more than seven years to get into receipt of Section 21 services and off the waitlist (September 2025 DHHS data). Thus the available set of people from whom to choose a housemate is extremely small. DHHS always touts itself as honoring "choice" but the operation of this regulation is the antithesis of choice. Choosing a housemate from a minute set of available people while being under the threat of eviction leads to forced placement of strangers being made to live with one another, and hoping that it all works out. This may happen to people in the first year of college, where sometimes it works out well and sometimes it is a disaster. It is the same for people with intellectual disabilities or autism. This requirement of this regulation is driven entirely by financial considerations, and nothing more. No other class of people are threatened by operation of state regulation with eviction, largely because of the failure to fund a waitlist for services.

The regulation deserves to be repealed, but in the alternative, ameliorating the operation of it somewhat is better than nothing. Therefore, I urge you to pass LD 2117, HP 1432.

Sincerely,
Richard Estabrook