



# HOUSE OF REPRESENTATIVES

2 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0002

(207) 287-1440

TTY: (207) 287-4469

## John “Jack” E. Ducharme III

34 Heald Street

Madison, ME 04950

Cell: (207) 431-0775

Jack.Ducharme@legislature.maine.gov

February 11, 2026

### Testimony of Representative Jack Ducharme Supporting LD 2131

#### **An Act to Preserve and Improve Access to Nursing Facility Services in the State; Amended Title: Resolve, Directing DHHS to Amend Specific Portions of the Nursing Facility Principals of Reimbursement and to Timely Release Quality Payments**

Good afternoon, Senator Ingwersen, Representative Meyer, and esteemed members of the Health and Human Services Committee. I am Jack Ducharme, and I proudly represent the people of Madison, Norridgewock, and Cornville in Maine House District 71. Thank you for the opportunity to testify today in strong support of LD 2131, An Act to Preserve and Improve Access to Nursing Facility Services in the State; Amended Title: Resolve, Directing DHHS to Amend Specific Portions of the Nursing Facility Principals of Reimbursement and to Timely Release Quality Payments, a bipartisan bill that I am pleased to cosponsor.

It is no secret that nursing home care in Maine is failing. In the last decade, over 29 nursing homes have closed in Maine. It is no secret that Maine has the oldest population in the nation. Maine is the state with the oldest population in the United States, holding the highest median age (approximately 44.8 to 45.1 years) and the highest percentage of residents aged 65 and older (over 23%) as of 2024–2025. Maine’s population numbers are driven by a high percentage of baby boomers soon to retire and, in some cases, a decline in working-age adults. This trend does not bode well for senior citizens living in Maine. Nursing care facilities are closing while numbers of people needing those services is increasing. This is a recipe for collapse in this sector of healthcare.

LD 2131 is an attempt to fix at least some of these issues. Current guard rails in the rules are preventing 35 out of 77 remaining nursing facilities from receiving the Cost-of-Living increase (COLA’s) as promised and appropriated by the Legislature in the last session in PL 2025, Chapter 388, Part GGG. The budget language is complicated but it is clear that the Department of Health and Human Services was directed by this budget section to “*seek approval from the United States Department of Health and Human*

District 71  
Cornville, Madison, and Norridgewock

*Services, Centers for Medicare and Medicaid Services to implement a cost-of-living adjustment for reimbursement rates...*” It is my understanding that this has not been done or has not been implemented.

This bill also seeks to partially reinstate the direct care worker add-on that will help stabilize the recruitment and retention of direct care workers in the long-term care field using existing funds in the Nursing Facility Transition Fund. Reinstating the \$6.00 per day add-on to the labor portion of nursing home rates will help with staff recruitment and retention as nursing homes continue to decrease reliance on contract labor.

This bill also asks for the release the \$8.1 Million in Quality Bonus payments earned by nursing facilities who met DHHS mandated requirements for 2025, from the funds already allocated by the legislature in Nursing Facility Transition Fund. Maine’s nursing homes have met requirements to earn their quality bonus payment for 2025, and now it’s time for DHHS to keep their promise by paying out funds allocated in the Nursing Facility Transition Fund for this very purpose.

For two years stakeholders worked collaboratively with DHHS to negotiate rate reform and the new rates went into effect on January 1, 2025. After one year, some course corrections are needed. Ensuring adequate MaineCare rates, including COLAs and periodic rebasing of rates, will be necessary if we want to preserve access to long-term care. Otherwise, we will slide backwards and continue to experience a cascade of closures. Meanwhile, evidence seems to be mounting that there is considerable fraud in some areas of the MaineCare program. This could be part of the reason why this MaineCare is continually looking for more money from Maine taxpayers.

LD 2131 addresses some of the issues in our long-term care system in Maine. Please support this resolve as part of Maine’s commitment to making sure we can take care of our senior citizens who cannot take care of themselves.

Cordially,

*Jack Ducharme*