



**LEGAL SERVICES  
FOR MAINE ELDERS**

Testimony of John Brautigam, Esq. before the  
Joint Standing Committee on Appropriations and Financial Affairs  
and the Joint Standing Committee on Health and Human Services

February 17, 2026

**Executive Summary**

- **LTCOP protects resident rights fast** by investigating complaints and getting problems fixed before they escalate.
- **LTCOP provides statewide, on-the-ground advocacy** across nursing homes, assisted living/residential care, adult day, and home care.
- **LTCOP strengthens accountability** through sustained monitoring, frequent visits, and coordination with DHHS and resident/family groups when care is failing.
- **LTCOP supports safe discharges and transitions**, including during facility closures and relocations, with follow-up to prevent harm.
- **Funding need:** Capacity is strained with **2.0 vacant frontline advocacy positions**, risking coverage gaps and slower response when need is growing.

Senator Rotundo, Representative Gattine, Senator Ingwersen, Representative Meyer, and distinguished members of the Committees:

My name is John Brautigam, and I am here to testify in strong support of increased funding for the Maine Long-Term Care Ombudsman Program (LTCOP). The Ombudsman Program is an independent advocacy program established under the Older Americans Act and state enabling legislation. Its core function is simple and essential: protecting the rights, health, and safety of people who receive long-term services and supports, and making sure their voices are heard when the system fails them.

I am Executive Director of Legal Services for Maine Elders (LSE). For 52 years, LSE has provided free legal assistance to older Mainers whose **basic needs are in jeopardy**. LSE and the Long-Term Care Ombudsman Program are independent programs, but we work closely together in practice, and our relationship includes referrals in both directions, coordinated advocacy, and joint problem-solving when resident-level concerns require both on-the-ground support and legal tools.

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We most often see overlap in matters involving involuntary discharges, insufficient services provided, and the quality of care in facilities, and we see these issues dozens of times per year. Our relationship is grounded in decades of working together and is reinforced through a memorandum of understanding pursuant to federal regulations.

One example illustrates how we work together. In a recent case, a long-term care consumer's approved service hours were cut from 7.5 hours per day to 2 hours per day based on an assessment performed within the facility. The assessment, however, was performed by someone who was not adequately trained and certified for that role. The assessment did not accurately capture the consumer's needs for assistance with activities of daily living and did not correctly consider the medical record. LSE intervened to demand a new assessment, which was performed, and the consumer's service hours and well-being were restored. LTCOP surfaced the issue and brought it to our attention, and we responded with effective legal advocacy. It was a small success, but **huge for this individual consumer.**

LTCOP provides invaluable statewide advocacy. LTCOP helps people receiving care in nursing homes, residential care and assisted living facilities, adult day programs, and home care services funded through Medicare, MaineCare, and state programs. The Program also administers the Homeward Bound Program for MaineCare-eligible nursing home residents who want to return to the community. It supports transitions from facilities back home, assists hospitalized patients statewide who are ready for discharge but cannot access needed long-term services and supports, and helps Maine residents with complex medical needs return home from out-of-state placements. It also provides resident rights education to long-term care facility staff, educates direct care staff on mandatory reporting requirements, and recruits, trains, and supervises Ombudsman Volunteers.

The scope of **this work is vast because the need is great** – and growing. LTCOP serves residents in more than 300 long-term care facilities statewide. Ombudsman staff and volunteers investigate and resolve complaints involving inadequate care, staffing shortages and delayed responses to care needs, transfers, discharge planning and involuntary discharges, resident rights violations, billing problems, physical plant and safety concerns, and help locating appropriate placements.

I would encourage you to think of the work LTCOP performs not as abstract “services” from a list of possible care interventions. In reality, they are the **moments when a person's dignity, safety, and ability to remain connected to family and community hang in the balance.**

LTCOP also makes a systemic difference. In 2025, the Ombudsman Program monitored 20 long-term care facilities that were cited for serious deficiencies, including failure to protect residents from abuse, neglect, or exploitation; failure to follow care plans; inadequate staffing; and physical plant deficiencies. When a facility shows a pattern of poor care, the Ombudsman Program provides the kind of sustained, human, on-the-ground accountability that no spreadsheet or bureaucratic check list can replace. That response includes frequent on-site visits, collaboration with DHHS Division of Licensing and Certification, establishing and supporting family groups, and supporting Resident Councils. This is how problems get identified early, addressed before they become crises, and corrected in ways that residents and families can actually see. And how to **prevent them from cascading into the legal crises that require LSE to get involved.**

Maine's long-term care landscape is shrinking and destabilizing. Since 2014, 27 nursing homes have closed, **displacing hundreds of residents**. In every closure, Ombudsman staff met directly with residents and families to support safe and appropriate discharges. This work is intensive and time sensitive. It requires coordination with providers and DHHS, and it does not end when the moving van pulls away. Ombudsman staff follow residents after relocation to address problems and prevent poor outcomes.

This is why increased funding is critical. The need is increasing, and the **capacity is strained**. LTCOP currently has two vacant frontline advocacy positions (2.0 FTE). These are not administrative roles. These are the people who go into facilities, meet with residents, investigate complaints, and make sure the system responds. Without adequate staffing, coverage gaps open, response times slow, and preventable harms rise. The program has identified that in particular, funding is urgently needed to maintain coverage for Aroostook County, where geography alone makes consistent, in-person presence a major undertaking. **A full-time regional ombudsman exclusively serving the County** would go a long way toward improving lives for many.

For these reasons, I respectfully urge the Committee to support increased funding as requested by the Maine Long Term Care Ombudsman Program. This investment protects resident rights, improves safety, supports timely and appropriate discharges and transitions, and provides an independent check when long-term care systems are under stress. It is one of the most direct ways the Legislature can ensure that people who rely on long-term services and supports are treated with dignity and kept safe.

Thank you for your time and consideration. I would be happy to answer any questions.