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Testimony of the Office of Aging and Disability Services
Maine Department of Health and Human Services

Before the Joint Standing Committee on Health and Human Services

In support of LD 51, An Act to Increase Oversight of Fatalities of and Serious Injuries to Adults
Subject to Public Guardianship

Sponsor: Representative Shagoury
Hearing Date: February 4, 2025

Senator Ingwersen, Representative Meyer, and members of the Joint Standing Committee on Health and Human Services, my name is Gina Googins, and I serve as the Associate Director of Adult Protective Services of the Office of Aging and Disability Services (OADS) in the Maine Department of Health and Human Services. I am here today to testify in support of LD 51, *An Act to Increase Oversight of Fatalities of and Serious Injuries to Adults Subject to Public Guardianship*. This is a Department bill, and we are grateful to Rep. Shagoury for sponsoring it.

Under current law, the Aging and Disability Mortality Review Panel reviews deaths of and serious injuries to adults receiving services under MaineCare-funded Home and Community Based Services -- or HCBS -- programs, including participants in those programs who are subject to public guardianship. This bill expands the charge of the Panel to review all deaths and serious injuries for adults subject to public guardianship, whether or not they are enrolled in HCBS programs. It also amends the membership of the Panel to include a person within the Department responsible for Adult Protective Services, a member of the general public with lived experience as an adult receiving services, and a primary health care provider who is licensed under Title 32, Chapter 36 or 48.

The Aging and Disability Mortality Review Panel was established by Maine law in 2021 (PL 2021, c. 398, PT. MMMM, §2) to review the patterns of death and serious injury to all Maine adults participating in HCBS programs. The Panel is required to meet at least four times per year and reports annually to the Legislature and DHHS Commissioner. The Panel has a full time Coordinator located at the Maine Centers for Disease Control (CDC). Maine CDC was consulted on this bill and supports it.

Individuals subject to public guardianship share many similarities to HCBS waiver participants, and in fact 39% of individuals receiving public guardianship services also receive HCBS. Given the lower involvement of natural supports and the higher risk of abuse, neglect and exploitation among individuals subject to public guardianship, the Department believes that all deaths and serious injuries among them should have this level of review. The Department further believes that the addition of the three recommended Panel members will bring a set of experiences, knowledge and ideas to the table that will make for a more informed and robust Panel.

Thank you for your time and attention. I would be happy to answer any questions you may have and to make myself available for questions at the work session.