

## **Testimony of Mary Jane Richards-McDade, CEO North Country Associates**

Testimony before the Committee on Health and Human Services in opposition of  
***LD 768, An Act to Update the Laws Governing the Licensing of Intermediate Care Facilities for Persons  
with Intellectual Disabilities***

Public Hearing: Thursday, March 13th, 2025 at 10:00 AM

Senators Rotundo and Ingwersen, Representatives Gattine and Meyer, as well as Distinguished Members of the Committee on Health and Human Services:

My name is Mary Jane Richards-McDade, and I am the CEO for North Country Associates. We manage and own 18 Long Term Care, Residential Care and Intermediate Care Facilities for those with Intellectual Disabilities. I am testifying in opposition of LD 768 as it is written.

I have served people with intellectual disabilities since 1987. Over that time I have participated in or been witness to countless surveys by the Division of Licensing and Certification. The proposed language in LD 768 includes, but is not limited to, imposing Intermediate Sanctions to improve the quality of care in ICF/IIDs. It does not define what Intermediate Sanctions means. Already stated in the Federal Register 59 FR 56236 § 442.119 governing ICF/IIDs, allows for surveyors to impose a Denial of payments for new admissions to an ICF/IID should they not meet several of the Conditions of Participation. It is not clear if this is the Intermediate Sanction this bill is suggesting or are there other remedies such as those imposed to Long Term Care or PNMI facilities should be added, such as Civil Monetary Penalties? Since ICF/IIDs are 100% funded by Mainecare and considered a Cost Based program under Section 50 of the MaineCare Benefits Manual, so long as ICF/IIDs costs are within the guidelines as outlined in this benefits manual, all costs are reimbursed. It is difficult, therefore, to understand how any Civil Monetary Penalties could be applied in a cost-based program. All receivables and all payables flow through the Mainecare program.

I have several other colleagues that will testify today either in person or remotely that have other opinions about their opposition of LD 768 as it is written. For now I will ask if I can answer any questions.

Thank you for your time today.