



3/24/2025

Senator Henry Ingwersen, Chair
Representative Michele Meyer, Chair
Joint Standing Committee on Health and Human Services
Cross Office Building, Room 209
Augusta, Maine 04333

Re: Testimony in Opposition to LD 960, An Act Facilitating the Discharge of
Hospitalized Patients to Nursing Facilities

Dear Senator Ingwersen, Representative Meyer, and Members of the Joint Standing
Committee on Health and Human Services:

My name is Barrett Littlefield and I am a senior staff attorney at Disability Rights
Maine. DRM is Maine's designated Protection and Advocacy Agency, and our mission is
to advance justice and equality by enforcing rights and expanding opportunities for
people with disabilities in Maine. I am providing testimony in opposition to LD 960, *An
Act Facilitating the Discharge of Hospitalized Patients to Nursing Facilities*, and, for
the following reasons, urge you to vote ought not to pass.

Section 1 of LD 960 is a wholly unnecessary distraction that would erroneously
complicate emergency guardianship procedures and risk encumbering judicial
discretion. As codified, the Maine Uniform Guardianship, Conservatorship and
Protective Proceedings Act already provides an excessively swift process for hearing
emergency guardianship matters. Despite the assumptions implied by the proposed
amendment to 18-C M.R.S.A. § 5-312(1)(A), no part of the aforementioned statute
prescribes filing prerequisites for an emergency guardianship petition beyond certain
requirements intended to protect a Respondent's due process rights, such as notice.
Moreover, a judge already has the discretion to appoint an emergency guardian whether
or not a nursing facility placement has been found. In sum, this proposed amendment, if
enacted, would do nothing to further the bill's intended goal of facilitating the discharge
of hospitalized patients to nursing facilities.

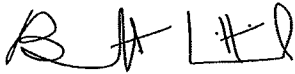
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MAINE'S PROTECTION AND ADVOCACY AGENCY FOR PEOPLE WITH DISABILITIES

DRM is similarly opposed to Section 2 of LD 960, which, if enacted, would force certain persons seeking nursing facility care into the first available bed regardless of how far the identified nursing facility is from their home. Removing such protections from MaineCare regulations would disincentivize patient-centered discharge planning, leaving patients with a Hobson's choice between continued access to medical care and equally life-sustaining support from friends and family.

For the foregoing reasons, DRM opposes LD 960, and we urge this Committee to vote ought not to pass. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Barrett Littlefield', written in a cursive style.

Barrett Littlefield, Esq.
Senior Staff Attorney
Disability Rights Maine