



Testimony of Angela Westhoff, President & CEO Maine Health Care Association

Testimony before the Committee on Health and Human Services Neither for nor Against
LD 980, Resolve, to Create the Commission to Improve the Oversight of the Long-term Care System

Public Hearing: Friday, March 28, 2025 at 10 am

Senator Ingwersen and Representative Meyer as well as Distinguished Members of the Committee on Health and Human Services:

My name is Angela Westhoff, and I serve as the President & CEO of the Maine Health Care Association. We represent approximately 200 nursing homes, assisted living centers, and residential care facilities across the state. Our mission is to empower members to ensure the integrity, quality, and sustainability of long term care in Maine.

I am testifying neither for nor against ***LD 980, Resolve, to Create the Commission to Improve the Oversight of the Long-term Care System.***

MHCA appreciates the Legislature's interest in improving Maine's long term care system. We share a deep commitment to delivering high-quality care to Maine's older adults and individuals with disabilities. This resolve outlines an ambitious effort to study and recommend changes to long term care oversight, regulation, and operations. We understand the potential value of a comprehensive, collaborative approach to reform. And at the same time, we have significant concerns that we respectfully ask the Committee to consider.

First, the composition and framing of this Commission are critical. As currently proposed, the membership offers limited explicit representation from long term care providers. For a Commission to succeed in identifying sustainable, realistic improvements, it must reflect the expertise of those who operate and work in these settings every day. To ensure better representation, we recommend that an appointee of Maine long term care association be added to this commission.

Second, the focus on oversight signals to many of our members an emphasis on regulatory burdens,

rather than support for provider-driven quality improvement. We would prefer a focus on collaboration, transparency, and problem-solving, particularly related to current challenges like workforce shortages and the cost pressures related to agency staffing. Several of our members have noted significant concern with the Commission's limited timeline of less than one year to review and consider the many hundreds of pages of existing federal and state regulations long term care facilities must already follow. Without that context, there is a risk of duplicating, complicating, or contradicting current requirements, which would contradict the bill's commendable goal of simplifying rules.

Related to regulations, Maine's Department of Licensing and Certification is attempting to implement unrealistic and deleterious staffing requirements via major substantive rulemaking for assisted housing facilities (LD 979). Additionally, the residential care rate reform process has been seemingly dormant for over a year. Despite all being related to the functioning of long term care, these significant initiatives have been operating in department-by-department silos, resulting in confusing and underproductive outcomes. MHCA sees this bill as perhaps an opportunity to bring these endeavors under one well-orchestrated, transparent system. This commission could be used to start the overdue assessment of whether current staffing proposals from LD 979 are truly aligned with measurable quality improvements and cost-benefit analysis as well as incorporate any findings into a new rate model.

At the same time, this Commission could serve as a platform for advancing key reforms our sector urgently needs, such as workforce development investments, tracking and reporting of agency staffing use, and thoughtful design of value-based payment models. We'd support a commission that recognizes these major areas of improvement.

Finally, we note that this Commission would be empowered to make recommendations without identifying fiscal implications. Given that many well-intentioned reforms have significant costs for facilities and the individuals they care for, we would urge a balanced approach that includes economic feasibility and practical implementation considerations.

In conclusion, we respectfully recommend further refinement to ensure that the proposed Commission is structured in a way that genuinely values provider input, focuses on actionable and collaborative solutions, and is mindful of the complex regulatory and operational environment in which long term care operates today. Thank you for your consideration, and I would be happy to answer any questions.