



Joseph Baldacci
Senator, District 9

THE MAINE SENATE
132nd Legislature

3 State House Station
Augusta, Maine 04333

Good afternoon Senator Ingwersen, Representative Meyer, and esteemed members of the Joint Standing Committee on Health and Human Services. My name is Joe Baldacci, and I represent Senate District 9, which includes Bangor and Hermon. I am pleased today to introduce LD 1540, "Resolve, to Direct the Department of Health and Human Services, Office of MaineCare Services to Create the Complex Care Assistant Training Program."

Families with children need skilled care and are currently largely unable to find an appropriate workforce to provide care resulting in parents providing services without sufficient medical skills. Creating a statewide working group that will develop the complex care assistant training program is required to meet within 30 days of the enactment of this legislation to start addressing this issue and dealing with the shortcomings of the system which have risen to the The legislation before you requires that the Department of Health and Human Services shall convene a statewide working group known as the Complex Care Assistant Council, referred to in this resolve as "the council," within 30 days of enactment of this resolve, to develop a system of standards for a complex care assistant training program for providing care for children under 20 years of age who require complex medical care provided in the home.

1. The council consists of representatives from the department, including the Office of MaineCare Services, the State Board of Nursing, parents and guardians of children who require complex medical care, pediatricians, nurses, respiratory therapists and private duty nursing agencies.
2. The council shall develop a system of training and qualification criteria for a complex care assistant training program. The training must include, but is not limited to, the following topics: ambulation, positioning, feeding, personal care, catheter care, range of motion, vital signs, medication administration, tracheostomy care, enteral care and therapy, administering enteral feedings by specific types of tubes and respiratory care.
3. The council shall work with private duty nursing agencies to establish an appropriate training schedule conducted by the agencies



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4. The department and the State Board of Nursing have oversight over the training program, including credentialing, continuing education requirements, background checks, quality requirements and any other necessary aspects of oversight to ensure the appropriate care of children who require complex medical care.

5. The council shall establish a requirement that complex care assistants work under the direction of a registered nurse visiting every 30 days. The requirement must allow complex care assistants to be able to provide services to the children without disruption to services.

Sec. 2. Department of Health and Human Services to establish MaineCare program to reimburse complex care assistants. Resolved: That the Department of Health and Human Services shall establish a MaineCare program to reimburse for the complex care assistant training program developed pursuant to section 1. The program must allow for reimbursement to parents or guardians trained as complex care assistants to provide care, under the direction of a registered nurse, to children under 20 years of age for whom they are a parent or guardian and who qualify under the MaineCare program for complex medical services that would otherwise be reimbursed only under the department's rule Chapter 101: MaineCare Benefits Manual, Chapters II and III, Section 96.

1. The department shall identify families with children who require complex medical care and parents or guardians who may train as complex care assistants to provide care for children for whom they are a parent or guardian.

2.

The department shall apply for any necessary waivers or state plan amendments from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to allow for MaineCare reimbursement for parents or guardians who are trained as complex care assistants providing care for children who require complex medical care.

3. The department and private duty nursing agencies shall develop a method of providing complex care assistant training to eligible parents and guardians at no cost to the parent or guardian.

4. The department shall adopt rules for reimbursement for complex care assistants,



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including requirements for employment of complex care assistants by private duty nursing agencies, and requirements for private duty nursing agencies to pay certification costs for complex care assistants. Rules adopted pursuant to this subsection are routine technical rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

5. The department shall regularly meet with the council when developing rules, waivers and state plan amendments to develop a system of reimbursement for complex care assistants.

Sec. 3. Report to the Legislature. Resolved: That the Department of Health and Human Services shall submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than January 2, 2029 with a description of the implementation of the program developed pursuant to sections 1 and 2, the number of children requiring complex medical care served in the program and data showing the effectiveness of the complex care assistant training program and private duty nursing model under this resolve. The joint standing committee of the Legislature having jurisdiction over health and human services matters may report out legislation related to the report to the 134th Legislature in 2029.

This bill establishes the complex care assistant training program to allow parents and guardians of children requiring complex medical care who qualify under the MaineCare program for private duty nursing services. The Department of Health and Human Services must establish the Complex Care Assistant Council to develop qualifications and training for complex care assistants. The department must develop a MaineCare program and apply for any necessary waivers or state plan amendments for the complex care assistant training program. The department is required to submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters in 2029 describing the implementation of the program, the number of participants and data showing the effectiveness of the program.