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TESTIMONY IN SUPPORT

LD 1022 “An Act to Protect and Increase Access to Justice in Civil Legal Aid Matters for Persons with Low Incomes”

Testimony of the Maine Long-Term Care Ombudsman Program

April 17, 2025

Joint Standing Committee on Judiciary

Good afternoon, Senator Carney, Representative Kuhn, and esteemed members of the Judiciary Committee, my name is Laura Harper. I am a Senior Associate with Moose Ridge Associates. I am here today on behalf of the Maine Long-Term Care Ombudsman Program.

The Ombudsman Program provides advocacy for older and disabled residents of nursing homes, assisted living and residential care and for recipients of home care and for participants in adult day services. Additionally, we serve patients in hospitals who experience barriers in accessing long-term services when they are ready for discharge.

I am testifying in support of LD 1022 “An Act to Protect and Increase Access to Justice in Civil Legal Aid Matters for Persons with Low Incomes.”

In 2023, the Legislature appropriated an additional \$4 million in one-time funding for civil legal aid to meet critical and rising legal needs. Without converting this one-time funding into ongoing support, Maine civil legal aid providers will face significant and harmful cuts when the funding expires in June 2025. This means that Maine people will have fewer places to turn for help. Sustaining and increasing this investment in civil legal aid is crucial for maintaining access to justice.

The Maine Long-Term Care Ombudsman Program has a long-standing relationship with Legal Services for Maine Elders (LSE). Our staff have great respect for the LSE attorneys. We are extremely grateful for the critical legal aid LSE provides to older and disabled residents both in long-term care facilities across the state and those in the community who need home care services. LSE has been invaluable in representing older and disabled residents of nursing homes facing an involuntary discharge which without legal assistance, could result in a discharge with no place for the resident to go. Additionally, LSE represents older and disabled individuals who need home care services and are faced with a denial, reduction, or termination of those critical services. While our staff can provide information about the need for home care LSE provides representation at administrative hearings. This collaboration has been very effective in providing support to older and disabled individuals who need home care services to remain independent in the community.

As advocates we see the complex legal issues that older and disabled individuals face. We see firsthand the impact LSE has in providing a critical service when an individual is facing a life-altering civil legal issue.

For example, LSE worked collaboratively with the Ombudsman Program to help a nursing home

resident in her nineties return to her home. We assisted her in arranging services to enable her return, however, during her time at the facility, she had allowed a friend to stay in her home. When it was time for her to return, her friend refused to leave making the return impossible. LSE was able to provide legal assistance so that the friend moved out and the resident was able to move back in. As you can imagine, moving back to her own home was extremely important to her. It is cases like this that demonstrate the importance of services LSE provides, services that ensure every Mainer has access to the legal help they need.

Without civil legal aid, many cannot access the protections they are entitled to under law.

We urge you to support LD 1022.

Thank you for your consideration.