

**TESTIMONY OF Richard A. Erb  
President and CEO  
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**March 24, 2021, 10:00 am  
To the Joint Standing Committee on Criminal Justice and Public  
Safety**

**In Support of L.D. 476**

**An Act to Provide Licensed Assisted Living and Nursing Facilities  
Levels of Care for Incarcerated Persons**

Good morning Senator Deschambault, Representative Warren and members of the Committee. My name is Rick Erb and I am the President and CEO of the Maine Health Care Association. Our organization represents nursing homes and assisted living facilities. I am here today to testify in support of LD 476.

It is well known that Maine already has one of the oldest populations in the country. Looking ahead, the number of Maine residents over age 65 will increase by 49% in the next fifteen years. The Maine Alzheimer's Association tells us that there were 25,000 people in

Maine suffering from Alzheimer's in 2014 and that this will increase to 35,000 by 2025.

I'd like to also share a little information on Maine's system of long term care. For the past 25 years, Maine has pursued a policy that reserves nursing home level of care for people with the highest needs. Wherever possible people are served in their own homes. When that isn't possible, the next step in the continuum of care is assisted living. Many of the people residing in assisted living in Maine would be nursing home residents in other states. The average age in Maine's nursing homes is 84, but for assisted living it is only a couple of years younger.

Failing to plan for the needs of this population is irresponsible, regardless of where they may live. That includes Maine's prison population.

LD 476 provides for assisted living and nursing home level of care within correctional facilities. It also allows the Department of Corrections to provide services in the community and would “encourage licensed facilities in the community to accept prisoners.” This is a critical point for my member facilities. We believe this does not require facilities to accept prisoners, although some may choose to participate in the program. It won’t be the right fit for every facility. For those that do choose it, the bill requires that specialized training be provided to the facility. I would also add that adequate rates would need to be developed, as I am certain that out of the ordinary costs would be encountered.

I don’t know what the cost would be to establish long term care beds within a prison setting or how many facilities within the communities would want to participate in a program to serve inmates. But this is an issue that deserves more study and work. Maine Health Care Association would be pleased to be involved and to share our expertise. For this reason, I hope that work continues through LD 476.