

Janet T. Mills  
Governor

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Commissioner



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March 23, 2021

Senator Ned Claxton, Chair  
Representative Michele Meyer, Chair  
Members, Joint Standing Committee on Health and Human Services  
100 State House Station  
Augusta, ME 04333-0100

Re: LD 716 An Act To Enhance and Improve the Maine Developmental Services Oversight and Advisory Board and to Establish the Aging and Disability Mortality Review Panel

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

This letter is to provide written testimony in favor of the Department establishing a Mortality Review Panel. Funding for the position to support the panel was included in the Governor's biennial budget proposal, and I understand that the HHS Committee has recommended to the AFA Committee that the enabling language proposed in this bill be added to the budget, which would make this bill unnecessary.

Maine does not currently have a mortality review panel for participants of Maine's home- and community-based services (HCBS) programs. Currently, deaths of these individuals are reviewed by Adult Protective Services (APS), within the Department, and any that are unusual or suspicious are also referred to the Office of the Chief Medical Examiner. The federal Centers for Medicare and Medicaid Services (CMS) recommend that all states have mortality review panels for all population groups served in home and community-based services (HCBS) waiver programs, and has published model practices in that regard, referenced in the *Joint Report Ensuring Beneficiary Health and Safety in Group Homes Through State Implementation of Comprehensive Compliance Oversight* issued by the U.S. Department of Health and Human Services, Office of the Inspector General (OIG), Administration for Community Living (ACL), and the Office for Civil Rights (OCR) in January of 2018 ("Joint Report"). The Department believes that an independent mortality review panel comprised primarily of clinical experts would be of great value, and ensure compliance with federal regulations.

Once again, the Department is in favor of implementing a mortality review panel in the manner that has been outlined in this bill – and funding and, with gratitude to this committee, language for the panel is included in the Governor's biennial budget proposal.

If you have any further questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Paul Saucier".

Paul Saucier, Director  
Office of Aging and Disability Services