



HOUSE OF REPRESENTATIVES

2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002
(207) 287-1440
TTY: (207) 287-4469

Beth A. O'Connor

66 Pine Hill
Berwick ME 03901
Cell: (207) 289-9047
Beth.OConnor@legislature.maine.gov

March 31, 2021

Senator Claxton, Representative Meyers and members of the Health and Human Services Committee. Thank you for taking my testimony on **LD 739, "An Act Regarding Credible Allegations of Fraud by MaineCare Providers."**

To summarize this bill *allows the Department of Health and Human Services, after a final 14 determination that an allegation of fraud concerning a MaineCare provider has been 15 established, rather than that fraud has occurred, to retain and apply as an offset to amounts 16 determined to be owed to the department any payments to the provider that were suspended 17 by the department. This bill also decreases from 31 days to 21 days after exhaustion of all 18 administrative appeals when the department may take that action and removes reference to 19 judicial review.*

I put this bill in for Mr. James LaBrecque and The Getchell Family Foster Home after their plight had been brought to my attention. I will not read the whole story on what has transpired but instead have enclosed it in this testimony for your review. Mr. LaBrecque and Attorney Andy Slater will testify and can explain why this rule change is needed far better than I can.

My concerns are with the intellectually challenged individuals who to this day have been forced into soup lines and food banks and have had services withheld because the foster home in which they have resided for years is not being compensated for the services that they are providing to these individuals. I believe the Getchell family is still caring for these individuals at their own expense. If there is a way to mitigate these problems faster and help these individuals and also prevent this from happening again to anyone else, I believe it is well worth the effort.

This being said I am not sure this bill for a rule change is penned correctly to address this issue and may need to be adjusted in work session to reflect the intentions previously stated. As you know, I am not an attorney and I do not play one on television and prefer to rely on those who are. I am more than happy to answer questions but believe those questions would be better answered by experts, but from what I have been told it seems one can't prove fraud if the state does not have to disclose what the fraud is. One should have a right to know what fraud is being charged are and have an avenue for restitution.

Thank you for your time and service for the people of Maine.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Beth A. O'Connor".

Beth O'Connor
State Representative