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To the Members of the Health and Human Services Committee,
and to the Committee Chairs- Senator Claxton and Representative Meyer,

I am testifying today in support of the proposed bill, LD 854, An Act To Ensure Continued School-based Services for Children with Disabilities., sponsored by Representative Michele Meyer.

As you may recall, I presented testimony to this committee approximately fourteen months ago, in opposition to the MaineCare Proposed Chapter 106 Rule. At that time, in response to the proposed rulemaking, early intervention providers from across the State gathered here to inform you of the drastic and detrimental effects that Chapter 106 would cause, to an already fragile, fragmented and dysfunctional system. Although there were pockets of promise within proposed 106, and clear efforts to unify varied needs and language of the DOE and DHHS, Chapter 106 was fraught with nuanced inconsistency, overlapping requirements, clinical disparity and, perhaps, misunderstood application. As providers, working knee deep in the regulations daily, as we work to provide necessary services to the youngest, and most needy children in Maine, Chapter 106 posed obvious and significant, even if unintended, consequence.

One of the actions, taken in response to the opposition and grave concern of providers across the State, can be found in LD 854. This bill, as I understand it to be proposed, requires that amendments made to, or new rules written for medically necessary, early intervention services become major substantive rules. By requiring this consideration DHHS would need to 1. Convene a stakeholder group when drafting new rules, and consider findings of the independent review regarding early intervention services within the State. I believe, as a provider of early intervention services for 22 years (and counting), that this measure is critical for the continued success of and partnership with early childhood providers. With a current and significant state wide shortage of early intervention providers, we cannot continue to arbitrarily change programmatic rules without considering rampant, significant outcomes of these changes.

It is important to note that our support of LD 854 is not in response to the works or efforts of this current administration, or because of any particular person or designees acting on behalf of DHHS. In fact, we have seen positive changes in both approach and in communication from both this administration and from the department itself. At the same time, as a long time service provider, I fully understand that services, agencies, and ultimately, children, should not be at the mercy of ever changing parties or political power. LD 854 brings a measured and balanced approach to the table- allowing for necessary change and evolution of programs and rules, while making this change transparent and in consideration of the impact, need and application to existing programs.

As providers, I believe that we can be identified as good resource and willing partners. Our intentions are to provide necessary services to a population that is deserving of and needy of quality intervention that will most likely lead to life changing, more positive outcomes. We live and breathe the current rule, and have much opinion about and desire to make necessary reforms. We ask that that we be considered as resource in necessary change moving forward, and not left in the dark about substantive, significant changes that impact virtually every moment of our operations.

I thank you for your time, your consideration and your efforts for the State of Maine during this unprecedented and most challenging of times.

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