



April 21, 2021

Senator Ned Claxton, Chair  
Representative Michele Meyer, Chair  
Joint Standing Committee on Health and Human Services  
Cross Office Building, Room 209  
Augusta, Maine 04333

Re: Testimony in support of LD 962, An Act To Appropriate Funds To Eliminate Waiting Lists for Home and Community-based Services for Adults with Intellectual Disabilities, Autism, Brain Injury and Other Related Conditions

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

Our names are Peter Rice and Staci Converse and we are the Legal Director and Managing Attorney at Disability Rights Maine. Thank you for the opportunity to provide testimony in support of LD 958. This legislation requires the appropriation of funds to eliminate waiting lists in Maine's four home and community-based services waiver programs (HCBS) that currently have them.

The individuals on these HCBS waiting lists often wait years to receive these needed services. Individuals typically require these services to meet their most basic, daily needs. These types of services are unavailable through private insurance and individuals who are eligible to receive them rarely, if ever, have the money to pay for these services out of pocket. This is a huge gap in the MaineCare program.

Additionally, the individuals on each of these HCBS waiting lists meet eligibility criteria for an institutional level of care. By definition, these individuals are at risk of institutionalization. And in turn Maine is not meeting its obligations under Supreme Court's *Olmstead v. L.C.* case and its progeny, decisions which concluded that unnecessary institutionalization is discrimination under the Americans with Disabilities Act.

For the foregoing reasons, DRM supports this legislation, which would eliminate waiting lists for Maine's HCBS waivers.

Thank you for your time and consideration.

Sincerely,

/s/Peter Rice  
Peter Rice  
Legal Director

/s/ Staci Converse  
Staci Converse  
Managing Attorney