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Testimony of Representative Christopher W. Babbidge introducing
LD 1657, An Act to Protect the Health, Safety, and Comfort of Elderly Residents and Residents with Disabilities by Ensuring Backup Access to Electrical Power in Certain Facilities during Power Outages
Before the Joint Standing Committee on Health and Human Services

Good Morning, Senator Claxton, Representative Meyer, and esteemed members on the Joint Standing Committee on Health and Human Services. My name is Christopher Babbidge, I live in Kennebunk, and I am privileged to represent House District #8. I am before you today to introduce **LD 1657, An Act to Protect the Health, Safety, and Comfort of Elderly Residents and Residents with Disabilities by Ensuring Backup Access to Electrical Power in Certain Facilities during Power Outages.**

Extended power outages can be disconcerting and even frightening for the most able-bodied of us. But for those who are dependent and vulnerable due to advanced age or disability, a power outage can be paralyzing and even traumatic.

LD 1657 adds three sentences to Maine statute; each of these three parts provides a minimum response to an emergency power outage specific to the type of facility.

This heart of this bill is section 2, adding to Title 22, MRSA subsection 7864, that requires all new construction of assisted-living housing have a source of continuous emergency electrical power. The bill does not specify whether the emergency power, such as an emergency generator, should be for all or part of the facility. But it is the safety concern of residents on the second or third floor to have a working elevator, and it is in the best interests of all residents, even if it is in a designated common area, to have heat for warmth, refrigeration for medicines, and a charging place for cell phones for communication needs during the emergency.

For already existing housing, this bill does NOT create a new requirement for construction or retrofitting. However, the property management company or owner of an assisted-living facility, in addition to current requirements, shall create a plan that, as a minimum standard, includes an

in-person well-being check for each resident of an assisted living facility within two hours of an unplanned continued loss of electric power.

Section 1 of the bill specifies that, for senior housing of more than four units that does not have emergency back-up and is subsidized by public funds, an emergency plan be implemented that sets the minimum standard that an in-person well-being check for the occupant of the unit be conducted within six hours of an unplanned, continued loss of electric power.

The reason I am before you today is because of a constituent, a woman named June Burbank, who contacted me a year ago. Mrs. Burbank had taught in my school system; she was an early elementary teacher at Cousens School.

She would be here today to relay her story, but she is recuperating at Maine Health's New England Rehab Center. She is in her late eighties, is very sharp, is passionate about this bill, and I'll bet will listen in to the work session if she is able.

In February, 2020, June had suffered a pulmonary embolism and was placed in the assisted living unit at a York County facility. As she tells it, she was watching Jimmy Kimmel when the lights went out. Because of her condition, she sat in a power recliner with her legs elevated. Loss of power not meant she couldn't move. It also meant there was no heat. When she got cold, she pressed her neck pendant. An attendant came and gave her a throw blanket. That was the last she saw of that attendant, or anyone else.

Unfortunately for June, her forced immobility kept her captive in that chair for many hours. Natural bodily functions could not be relieved by getting to the bathroom. She pressed her pendant and called out for help. No one came. She was trapped in the night... cold, wet, and miserable. She mentioned 6 ½ hours, but it was 7:45 in the morning before she got help.

People like June Burbank who are in a vulnerable state of care deserve that the state of Maine require of these enhanced-caré healthcare facilities that patients be guaranteed electrical power that ensures light, warmth, communication, refrigeration of needed meds, a flushing toilet, and a working elevator. I have provided this bill as a vehicle for you to address this problem with minor, but important, changes in law. Long ago when she explained this incident and hoped it could be addressed by the legislature to prevent other vulnerable patients to suffer unnecessarily, June asked me to ask you to imagine your mother trapped in this misery.

I have presented to you my June Burbank bill. Because you scheduled this hearing on the day after Mother's Day, I hope you are receptive to her plea. In all seriousness, it IS the obligation of the state to protect its most vulnerable, and I bring this to you to examine this issue.

I appreciate your hearing this bill and, if you have questions or concerns, would be pleased to take questions.

