



The Maine
Long-Term Care

Ombudsman
Program

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TESTIMONY

In Support of

LD 488: An Act To Improve Access to Home-based and Community-based Care
in the MaineCare Program

Brenda Gallant **Maine Long-Term Care Ombudsman Program**

Before the Joint Standing Committee on Health and Human Services

March 7, 2013

Senator Craven, Representative Farnsworth and members of the Joint Standing Committee on Health and Human Services

My name is Brenda Gallant. I am the Long-Term Care Ombudsman. The Ombudsman Program is a state-wide non-profit organization that provides advocacy for elderly and disabled recipients of long-term care services throughout the state. We serve residents in nursing facilities, assisted housing programs, assisted living facilities, adult day services and recipients of home care services.

We support the intent of this legislation which is to provide services at a level sufficient to allow elders and adults with disabilities to remain in the community with home care services rather than being admitted to a nursing home. The Home and Community Based Benefits Program is a waiver for elders and adults with disabilities (section 19) who are nursing facility eligible. This program provides personal care, nursing, respite and emergency response systems for consumers. The cap for this program is \$4,341/month.

In our experience in serving consumers, we have found that some consumers need more assistance to remain at home than this home care waiver provides. For example, I worked with a man in his 40's with a diagnosis of ALS. He received waiver services. His needs were very extensive. He required total care. Waiver services were only provided during the day. There was no coverage during the night. His wife provided this care while trying to manage a full time job during the day. This was an impossible situation for this family. His care needs exceeded the cap. We have served other consumers with similar challenges.

Historically, the state of Maine like most other states has made care in nursing homes and residential care more accessible to elders and adults with disabilities than home care services. While we absolutely support services in those settings, we also know that there are often many barriers for people who need services and want to remain at home. Limiting needed home care services based on an average cap rather than on the real and actual needs of the consumer is one of those barriers. We urge your support for this legislation.

Thank you for your consideration.