



125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 376

H.P. 302

House of Representatives, February 8, 2011

**Resolve, Directing the Department of Health and Human Services
To Complete the Redesign of a Shared Living Program for Adults
with Intellectual Disabilities**

(EMERGENCY)

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative STUCKEY of Portland.
Cosponsored by Representative: SANBORN of Gorham.

1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** shared living and other home foster care services are appropriate and
4 cost-effective options for many adults with cognitive and intellectual disabilities and
5 autism; and

6 **Whereas,** the Department of Health and Human Services began redesign efforts for
7 a shared living and other home foster care services program July 1, 2010 and booked
8 savings in this program; and

9 **Whereas,** the initial redesign has occurred but necessary actions to clarify respective
10 roles of administering agencies, host families and department employees have not; and

11 **Whereas,** this failure to complete the redesign leaves administering agencies with
12 significant legal and financial liabilities for which they no longer are compensated; and

13 **Whereas,** residential supports for over 450 individuals with intellectual disabilities
14 and autism are in jeopardy, as well as private respite and foster care services, if these
15 issues are not addressed; and

16 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
17 the meaning of the Constitution of Maine and require the following legislation as
18 immediately necessary for the preservation of the public peace, health and safety; now,
19 therefore, be it

20 **Sec. 1. Redesign. Resolved:** That the Department of Health and Human
21 Services shall complete the redesign of a shared living program for adults with
22 intellectual disabilities no later than April 15, 2011. The redesign must include a tiered
23 reimbursement system for host home providers that reflects the level of support required
24 by the individuals based upon an objective needs assessment process. The redesign must
25 thoroughly analyze the efficacy and appropriateness of host families becoming the
26 providers of record under MaineCare regulations; and be it further

27 **Sec. 2. Report. Resolved:** That the Department of Health and Human Services
28 shall provide progress reports to the Joint Standing Committee on Health and Human
29 Services on at least a monthly basis until the redesign under section 1 is completed.

30 **Emergency clause.** In view of the emergency cited in the preamble, this
31 legislation takes effect when approved.

32 **SUMMARY**

33 This resolve requires the Department of Health and Human Services to complete the
34 redesign of shared living and other home foster care services for adults with cognitive and
35 intellectual disabilities and autism by April 15, 2011.