

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND AND ELEVEN

—
H.P. 302 - L.D. 376

Resolve, To Complete the Timely and Appropriate Redesign of Shared Living Services for Adults with Intellectual Disabilities and Autism

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

Whereas, shared living is an appropriate and cost-effective option for many adults with cognitive and intellectual disabilities and autism; and

Whereas, the Department of Health and Human Services began redesign efforts for a shared living program July 1, 2010 and booked savings in this program; and

Whereas, the initial redesign has occurred and substantial actions to clarify respective roles of administering agencies, host families and department employees have occurred; and

Whereas, portions of the redesign remain unresolved; and

Whereas, residential supports for over 450 individuals with intellectual disabilities and autism are critical services that require additional redefinition; and

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

Sec. 1. Redesign. Resolved: That the Department of Health and Human Services shall continue to work on the redesign of its shared living program that began July 1, 2010 with the stakeholder group that was established by the Commissioner of Health and Human Services. The redesign work must include the following:

1. The development of a tiered reimbursement system for host home providers that is within the limits of existing resources and that reflects the intensity of supports required by the individual, based on an objective needs assessment process;

2. Analysis of the efficacy and appropriateness of host families becoming providers of record under MaineCare rules and refinement and clarification of host families being defined as independent contractors;

3. Amendment of the rules regarding the MaineCare program home-based and community-based waiver to include a clear definition of shared living services; and

4. Review of the handbook and allocation of responsibilities that took effect October 1, 2010 to assess the progress in properly assigning tasks and responsibilities among host home providers, oversight agencies and case managers for the Department of Health and Human Services.

The Department of Health and Human Services shall provide progress reports to the Joint Standing Committee on Health and Human Services on the shared living program redesign by September 1, 2011 and December 15, 2011.

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

In House of Representatives, 2011

Read and passed finally.

..... Speaker

In Senate, 2011

Read and passed finally.

..... President

Approved 2011

..... Governor