

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND TWENTY-ONE

—  
H.P. 1104 - L.D. 1490

**An Act To Improve Home and Community-based Services for Adults with Intellectual Disabilities, Autism, Brain Injury and Other Related Conditions**

Be it enacted by the People of the State of Maine as follows:

**Sec. 1. 34-B MRSA §5003-A, sub-§1**, as amended by PL 2011, c. 542, Pt. A, §83, is further amended to read:

**1. System of care services and support.** The Legislature declares that the system of care services and support through which the State provides services to and programs for persons with intellectual disabilities or autism must be designed to protect the integrity of the legal and human rights of these persons and to meet their needs consistent with the principles guiding delivery of services as set forth in section 5610.

**Sec. 2. 34-B MRSA §5003-A, sub-§2, ¶E**, as amended by PL 2011, c. 542, Pt. A, §83, is further amended to read:

E. Eliminate the department's own duplicative and unnecessary administrative procedures and practices in the system of care services and support for persons with intellectual disabilities or autism, encourage other departments to do the same and clearly define areas of responsibility in order to use present resources economically;

**Sec. 3. 34-B MRSA §5003-A, sub-§2, ¶F**, as amended by PL 2011, c. 542, Pt. A, §83, is further amended to read:

F. Strive toward having a sufficient number of personnel who are qualified and experienced to provide treatment that is beneficial to persons with intellectual disabilities or autism; ~~and~~

**Sec. 4. 34-B MRSA §5003-A, sub-§2, ¶G**, as amended by PL 2011, c. 542, Pt. A, §83, is further amended by amending subparagraph (3) to read:

(3) The commissioner shall inform the joint standing committee of the Legislature having jurisdiction over human resources matters about areas where increased cooperation by other departments is necessary in order to improve the delivery of services to persons with intellectual disabilities or autism; ~~and~~

**Sec. 5. 34-B MRSA §5003-A, sub-§2, ¶H** is enacted to read:

H. Post quarterly reports on the department's publicly accessible website, for each home and community-based services waiver from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services in which the State participates, data on how many persons were served and how many were on the waiting list for services. The department shall post this information by prioritization category when applicable and shall include one or more indicators of the length of time that persons are on the waiting list.

**Sec. 6. 34-B MRSA §5003-A, sub-§3, ¶H,** as amended by PL 2011, c. 542, Pt. A, §83, is further amended to read:

H. The commissioner ~~must~~ shall ensure that the development of the plan includes the participation of persons with intellectual disabilities, autism, brain injury and other related conditions; community intellectual disability and autism service providers; consumer and family groups; and other interested persons or groups in annual statewide hearings, as well as informal meetings and work sessions. The commissioner shall ensure the participation of persons reflecting a diversity of ethnicity, race and gender.

**Sec. 7. 34-B MRSA §5003-A, sub-§6, ¶A,** as enacted by PL 2007, c. 356, §16 and affected by §31, is amended by amending subparagraph (4) to read:

(4) The system of ~~care~~ services and support under this section is efficient and effective.

**Sec. 8. 34-B MRSA §5003-A, sub-§7** is enacted to read:

**7. Committee authorized to introduce legislation.** The joint standing committee of the Legislature having jurisdiction over health and human services matters is authorized to introduce a bill in each first regular session of the Legislature and a bill in each second regular session of the Legislature to address the system of services and support for persons with intellectual disabilities or autism.