

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND ELEVEN

S.P. 373 - L.D. 1252

**Resolve, To Develop a Plan To Improve Public Guardianship Services to
Adults with Cognitive Disabilities**

Sec. 1. Stakeholder group for a working plan created. Resolved: That the Maine Developmental Disabilities Council, as established in the Maine Revised Statutes, Title 34-B, section 17001, referred to in this resolve as "the council," shall convene a stakeholder group to develop a working plan for a program for the transition, beginning July 1, 2012, of public guardianship responsibilities for adults with cognitive disabilities from the Department of Health and Human Services to an entity independent of that agency for a transition to begin by July 1, 2012. The council shall invite at least one representative from each of the following organizations:

1. The Disability Rights Center;
2. Speaking Up for Us of Maine, a self-advocacy organization;
3. The Department of Health and Human Services, Office of Advocacy, established in Title 34-B, section 5005;
4. The Department of Health and Human Services, Office of Adults with Cognitive and Physical Disability Services;
5. The Office of the Attorney General;
6. The Maine Developmental Services Oversight and Advisory Board, established in Title 34-B, section 1223;
7. The Maine Association for Community Service Providers; and
8. The Maine Probate Judges Assembly; and be it further

Sec. 2. Duties. Resolved: That the stakeholder group shall investigate and develop a plan for the Department of Health and Human Services to separate the service coordination for individuals with cognitive disabilities function from the public guardianship function for individuals who are wards of the State and shall include in its findings:

1. Information regarding models used in other states, including New Hampshire, for independent administration of public guardianship;
2. Recommendations for the model the group determines is the most appropriate for implementation in this State;
3. A work plan for transition to the new model to begin July 1, 2012;
4. Necessary statutory changes and the fiscal implications of those changes to enable the implementation of this model; and
5. The feasibility of merging the correspondent program overseen by the Maine Developmental Services Oversight and Advisory Board under the Maine Revised Statutes, Title 34-B, section 1223 with public guardianship responsibilities under the proposed model; and be it further

Sec. 3. Report to the Commissioner of Health and Human Services.

Resolved: That the council shall report the working plan of the program to the Joint Standing Committee on Health and Human Services by January 15, 2012, with suggested implementing legislation. The joint standing committee may submit a bill to the Second Regular Session of the 125th Legislature.

In House of Representatives, 2011

Read and passed finally.

..... Speaker

In Senate, 2011

Read and passed finally.

..... President

Approved 2011

..... Governor