



130th MAINE LEGISLATURE

FIRST SPECIAL SESSION-2021

Legislative Document

No. 1477

H.P. 1092

House of Representatives, April 14, 2021

**Resolve, Directing the Department of Health and Human Services
To Collaborate with the Long-term Care Ombudsman Program To
Convene a Stakeholder Group To Make Recommendations for In-
home Rehabilitation Services**

Received by the Clerk of the House on April 12, 2021. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script, reading "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative DODGE of Belfast.
Cosponsored by Senator BALDACCI of Penobscot and
Representatives: CRAVEN of Lewiston, CUDDY of Winterport, DOUDERA of Camden,
PERRY of Calais, SACHS of Freeport, TEPLER of Topsham, ZEIGLER of Montville,
Senator: MOORE of Washington.

Sec. 1. Department of Health and Human Services to collaborate with the long-term care ombudsman program to convene stakeholder group to make recommendations for in-home rehabilitation services. Resolved: That the Department of Health and Human Services shall collaborate with the long-term care ombudsman program established in the Maine Revised Statutes, Title 22, section 5106, subsection 11-C to convene a stakeholder group that includes a physician, a representative of home care service providers and a representative of home care patients to study and to identify and develop recommendations to resolve regulatory and administrative barriers that may result in a delay or denial for qualified persons to receive in-home rehabilitation services, including a review of:

1. Provider barriers in certifying eligibility for in-home rehabilitation services and ordering ongoing care to meet the individualized care needs at home;

2. A home care patient bill of rights establishing or confirming a patient's right to:

A. The least restrictive treatment option upon discharge;

B. Be advised of realistic options when hospital care is no longer needed; and

C. Be informed about hospital resources, such as patient advocates or ethics committees that can help resolve patient questions;

3. Patient advocacy in discharge planning from health care facilities;

4. The process for patients to dispute their discharge plan; and

5. Standards of care, which must include that the patient advocate or discharge planning team provide:

A. Appointments and contact information for prescribed in-home rehabilitation services to the patient upon discharge;

B. A copy of the list of barriers and explanations of any barriers preventing in-home rehabilitation services; and

C. In writing, the process for a patient or advocate to appeal decisions and overcome barriers in paragraph B.

Sec. 2. Report. Resolved: That, by December 1, 2021, the Department of Health and Human Services shall submit a report on the study and recommended legislation to the Joint Standing Committee on Health and Human Services. The Joint Standing Committee on Health and Human Services may report out legislation based upon the report to the Second Regular Session of the 130th Legislature.

SUMMARY

This resolve directs the Department of Health and Human Services to collaborate with the long-term care ombudsman program to convene a stakeholder group to study and to identify and develop recommendations to resolve regulatory and administrative barriers that may result in a delay or denial for qualified persons to receive in-home rehabilitation services and to report and make recommendations to the Joint Standing Committee on Health and Human Services, which may report out legislation based upon the report to the Second Regular Session of the 130th Legislature.