



**Testimony of Jess Maurer on Behalf of
the Maine Council on Aging
to the Joint Standing Committees on
Appropriations & Health & Human Services**

**In Favor of LD 2109 – An Act To Implement the
Recommendations of the Commission To Study
Long-term Care Workforce Issues**

Submitted in Person on February 26, 2020

Greetings Senator Gratwick, Representative Hymanson, and members of the Joint Standing Committee on Health and Human Services:

My name is Jess Maurer and I'm the Executive Director of the Maine Council on Aging (MCOA). The MCOA is a broad, multidisciplinary network of nearly 100 organizations, businesses, municipalities and older community members working to ensure we can all live healthy, engaged and secure lives with choices and opportunities as we age at home and in community settings. I am testifying in favor of LD 2109.

The MCOA proposed legislation to create the Commission to Study Long Term Care Workforce Issues in December 2016, after a significant stakeholder process identified a multitude of ways in which Maine needed to systematically address its severe and pervasive direct care workforce shortage. While the Commission was initially created pursuant to LD 925, enacted in July of 2018, the Commission failed to meet before the end of the Legislative session, and needed to be re-authorized in 2019 before it could begin its work.

This December, 3 full years after we started this journey, the Commission issued its recommendations, some of which you are considering today. I offer this history because we understood the crisis that was looming three years ago, and had hoped to make progress in averting it starting in 2017. Today, as you will hear from many others, we have gone far passed the point of crisis, and that we cannot afford to delay another day acting to ensure that older and disabled Mainers can get the care they need.

Over the many months the Commission met, members heard considerable testimony from employers across this continuum, employers who employ nearly 30,000 workers collectively, that they are about to fail if reimbursement rates are not immediately increased to allow them to adequately compete for qualified workers. They heard that each week in Maine, 10,000 hours of approved care goes undelivered to Section 19 older and disabled adults because of the direct care workforce shortage. They heard that in the last 90 days, 60% of Maine's assisted living facilities and nursing homes declined a new admission because of staffing shortages. They heard that older people are experiencing unnecessarily long stays in hospitals, filling critically needed beds, because they cannot be discharged to home or facilities because of these staffing shortages.

The Commission's Report recommends that reimbursement rates be immediately increased to allow employers *across the long term care continuum* to pay direct care workers 125% of

minimum wage and LD 2109 proposes to accomplish this recommendation. I also urge understanding that the same workers who provide direct care for home care agencies provide this same care in multiple settings across the long term care continuum. Rates must be raised across the sector in order to avoid unfair competition for workers and the increased likelihood of failure of one part of the long term care continuum. Thus, rates must be raised for home care, the Homemaker Program, Adult Day Services, Adult Family Care Services, Private Non-Medical Institutions, and nursing facilities.

The second part of this bill is also critically important. This sector of Maine's workforce has been on a path for failure for over a decade. Over this time, others have met and made appropriate recommendations that, if implemented, would have changed our situation today. However, there was no oversight or authority given to anyone to ensure that those recommendations were adopted. The report of the Commission to Study Long Term Care Workforce Issues contains many large and small recommendations for short, medium and longer term actions. All of these recommendations need to be implemented.

While LD 2109 proposes to create an oversight committee, it proposes only a committee appointed by the Commissioner of Health & Human Services and answerable to this legislative oversight committee. However, the report makes numerous recommendations that relate to the Department of Labor and other state agencies. We recommend that this oversight committee be at least jointly appointed by the Commissioners of Health & Human Services and Labor, and that the Committee on Labor & Housing be included in the oversight. We must stop putting all of the burden of solving this challenge on the Department of Health & Human Services simply because they set rates for these workers. They do not have the authority or ability to accomplish many of the other recommendations in the report, and all of the work moving forward should be done jointly whenever possible.

Employers in Maine's long term supports and services sector are in trouble and we cannot put off acting for another year. Our long term care system is nearing a point of collapse. The costs to older adults, their families, and our economy will simply be too high if this happens. We must raise reimbursement rates immediately and act intentionally to implement all of the recommendations in the Commission's report.

I urge you to unanimously support LD 2109 and am happy to answer any questions.

Thank you.
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