



**Testimony of Marge Kilkelly on Behalf of
the Maine Council on Aging to the Committee on
Health and Human Services**

**In Favor of LD 51 - An Act to Increase Oversight of
Fatalities of and Serious Injuries to Adults Subject to
Public Guardianship**

Submitted February 4, 2025

Senator Ingwersen, Representative Meyer, and the members of the Committee on Health and Human Services.

My name is Marge Kilkelly, and I am a Policy Consultant for the Maine Council on Aging (MCOA). The MCOA is a broad, multidisciplinary network of over 135 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 51 - An Act to Increase Oversight of Fatalities of and Serious Injuries to Adults Subject to Public Guardianship

In 2021 the Legislature wisely created the Aging and Disability Mortality Review Panel (ADM RP) to review cases of severe injury or death of adults receiving home or community based services. The information gathered is used to identify the strengths and weaknesses of the care systems and recommend changes in law, rules, training, policy and procedures which would strengthen the system and protection of adults.

LD 51 expands the panel's scope to include adults under public guardianship.

Incapacitated persons under public guardianship are often more vulnerable than some of the individuals currently covered by the ADM RP.

While public guardianship is a critical service for some individuals; a public guardian is not typically a family member or close friend, and may not have the same level of understanding about the individual's personal preferences, values, and life goals.

Public guardian agencies often have large caseloads and limited oversight which leads to less time understanding each individual's needs and an increased risk of exploitation.

We applaud the Department for taking the extra step to learn how public guardianship processes can be made better by studying deaths and serious injuries of public wards.

We also support changes in the composition of the ADM RP to include a person within the Department responsible for Adult Protective Services, a member of the general public with lived experience as an adult receiving services, and a primary health care provider.

I urge you to act in support of LD 51.