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Date: (Filing No. H-)

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 209, L.D. 296, “An Act To Provide a Tax Credit for Family Caregivers”

Amend the bill by striking out the title and substituting the following:

'Resolve, To Create the Family Caregiver Grant Pilot Program'

Amend the bill by striking out everything after the title and inserting the following:

'Sec. 1. Department of Health and Human Services to establish Family Caregiver Grant Pilot Program. Resolved: That the Department of Health and Human Services, in cooperation with area agencies on aging, shall establish the Family Caregiver Grant Pilot Program to increase the number of families served by the Respite Care Fund, alleviate costs associated with providing in-home care of an adult, provide a family caregiver grant to increase economic security for family caregivers and examine the needs and preferences of the families served by the Respite Care Fund and the pilot program.

Sec. 2. Definitions. Resolved: That, as used in this resolve, the following terms have the following meanings.

1. "Department" means the Department of Health and Human Services.
2. "Eligible family caregivers" means:
 - A. Adult family members or other informal caregivers 18 years of age or older providing care to individuals 60 years of age or older;
 - B. Adult family members or other informal caregivers 18 years of age or older providing care to individuals of any age with Alzheimer's disease or related disorders;
 - C. Relatives, not including parents, 55 years of age or older providing care to children under 18 years of age; and
 - D. Relatives, including parents, 55 years of age or older providing care to adults 18 to 59 years of age with disabilities.

COMMITTEE AMENDMENT

1 3. "Pilot program" means the Family Caregiver Grant Pilot Program established
2 pursuant to section 1.

3 4. "Respite Care Fund" means the Respite Care Fund under the Maine Revised
4 Statutes, Title 22, section 7308.

5 **Sec. 3. Grant amounts. Resolved:** That, under the pilot program, an eligible
6 family caregiver who is not otherwise receiving payment for caring for the person in their
7 care may receive up to \$2,000 a year. Eligible family caregivers may choose annually to
8 receive either the services specified in the Maine Revised Statutes, Title 22, section 7308
9 or services under the pilot program.

10 **Sec. 4. Stakeholder group. Resolved:** That, no later than October 1, 2021, the
11 department shall convene a stakeholder group to meet periodically to assist in designing
12 the pilot program, including eligibility and payment methods; implementing the pilot
13 program; and developing outreach strategies to eligible family caregivers, application
14 assistance and evaluation planning. The stakeholder group must include representatives of
15 the department, area agencies on aging, family caregivers, home and community-based
16 support services providers, nursing facilities, residential care services providers and
17 advocacy organizations for aging adults.

18 **Sec. 5. Pilot program period; annual expenditures capped. Resolved:** That
19 the pilot program shall provide services or grants to eligible family caregivers from October
20 1, 2022 to September 30, 2024. In each year, from October to September, the annual
21 expenditures for the pilot program are capped at \$5,000,000.

22 **Sec. 6. Administrative costs. Resolved:** That up to 15% of the annual
23 expenditure cap in section 5 may be used for administrative costs, including, but not limited
24 to, one full-time position within the department's office of aging and disability services to
25 administer the pilot program, contract costs and ongoing evaluation. The department may
26 contract with up to \$200,000 in additional funds for an administrator, after October 1, 2021,
27 to establish the pilot program and coordinate with the stakeholder group convened pursuant
28 to section 4.

29 **Sec. 7. Guidelines; rulemaking. Resolved:** That the department and the
30 stakeholder group convened pursuant to section 4 shall determine guidelines for how
31 eligible family caregivers are identified to receive assistance and the amount of grants
32 distributed pursuant to section 3. The department may adopt rules to implement this
33 resolve. Rules adopted pursuant to this section are routine technical rules as defined in the
34 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

35 **Sec. 8. Evaluation; report. Resolved:** That the department shall contract with a
36 3rd-party organization with expertise in evaluating public policy programs for ongoing
37 evaluation of the success of the pilot program and the services provided under the Respite
38 Care Fund. The department shall submit a report to the joint standing committee of the
39 Legislature having jurisdiction over health and human services matters no later than
40 January 15, 2025. The report must include the following:

41 1. An unduplicated count of individuals receiving respite care, assistive technology,
42 home modification and family caregiver grants under section 3;

1 2. The amount of funds that were expended for respite care, assistive technology, home
2 modification and family caregiver grants;

3 3. The demographics of eligible family caregivers receiving services under the pilot
4 program, including, but not limited to, age, race, ethnicity, gender identity, income and
5 county of residence;

6 4. The number of eligible family caregivers on waiting lists for services under the pilot
7 program and the demographics of those family caregivers, including, but not limited to,
8 age, race, ethnicity, gender identity, income and county of residence;

9 5. The time between application and eligibility determination by the department or its
10 contracted designee;

11 6. The time between application for and receipt of services provided under the pilot
12 program;

13 7. An assessment of the extent to which services provided under the pilot program kept
14 individuals cared for by eligible family caregivers out of institutional care or delayed
15 transfer to an institutional level of care; and

16 8. Any recommendations for changes related to the adequacy of the Respite Care Fund
17 and the scope of services provided and recommendations for continuing the pilot program.

18 The joint standing committee of the Legislature having jurisdiction over health and
19 human services matters is authorized to report out legislation related to the report to the
20 First Regular Session of the 132nd Legislature.

21 **Sec. 9. Appropriations and allocations. Resolved:** That the following
22 appropriations and allocations are made.

23 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

24 **Office of Aging and Disability Services Central Office 0140**

25 Initiative: Provides one-time funding to the Respite Care Fund within the Department of
26 Health and Human Services to provide family caregiver grants and cover the administrative
27 costs of the pilot program.

28 GENERAL FUND	2021-22	2022-23
29 All Other	\$200,000	\$5,000,000
30		
31 GENERAL FUND TOTAL	\$200,000	\$5,000,000

32
29 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
30 number to read consecutively.

31 **SUMMARY**

36 This amendment replaces the bill with a resolve. It directs the Department of Health
37 and Human Services to establish the Family Caregiver Grant Pilot Program to expand the
38 number of families that can be served under the Respite Care Fund. The pilot program may
39 provide grants to eligible family caregivers of up to \$2,000 a year and lasts for 2 years,
40 from October 2022 to September 2024. The department is required to convene a

1 stakeholder group to design and implement the pilot program and plan for its evaluation.
2 The pilot program is limited to total expenditures of \$5 million a year with up to 15% of
3 that amount to be used for administrative costs. The department may also contract for an
4 administrator to establish the pilot program prior to its launch. The department may adopt
5 routine technical rules to implement the resolve. The department is required to submit a
6 report to the joint standing committee of the Legislature having jurisdiction over health and
7 human services matters no later than January 15, 2025. The amendment also adds an
8 appropriations and allocations section.

9 **FISCAL NOTE REQUIRED**

10 **(See attached)**