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## **Resolve, To Establish the Commission To Examine Restructuring the Management of the Institutional Long-term Care Delivery System**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the Commission To Examine Restructuring the Management of the Institutional Long-term Care Delivery System established in this resolve is to report to the Legislature by December 2, 2009; and

**Whereas,** the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for the next legislative session; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

**Sec. 1 Commission established. Resolved:** That the Commission To Examine Restructuring the Management of the Institutional Long-term Care Delivery System, referred to in this resolve as "the commission," is established; and be it further

**Sec. 2 Commission membership. Resolved:** That the commission consists of 10 members appointed as follows:

1. Three members appointed by the President of the Senate as follows:

A. Two Senators; and

B. One member representing consumers of long-term care services; and

2. Six members appointed by the Speaker of the House as follows:

A. Five Representatives; and

B. One member representing providers of long-term care services; and

3. The Commissioner of Health and Human Services or the commissioner's designee; and be it further

**Sec. 3 Chairs. Resolved:** That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission; and be it further

**Sec. 4 Appointments; convening of commission. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. Within 15 days after appointment of all members, the chairs shall call and convene the first meeting of the commission, which must be no later than August 1, 2009; and be it further

**Sec. 5 Duties. Resolved:** That the commission shall examine the management of the institutional long-term care delivery system with the goal of analyzing and suggesting a thorough restructuring of service delivery to improve the quality of service and to make it more cost-effective. The analysis must include finding new ways to measure quality of services and how to determine the services' value and to focus on best practices for cost reduction and quality improvement by suggesting the following:

1. The best way to restructure the reimbursement system into a payment system and reduce costs;
2. The best way to change the current inspection system of assessing on-site paper records, which achieves uneven inspection results, to modern data collection and reporting methods of patient outcomes and staffing costs;
3. The best way to change the approach to delivery of nursing services to encourage increased use of hospice or palliative care models; and
4. The best way to study and improve long-term care at the inpatient hospital and emergency room levels to address patient wishes and improve patient care while reducing costs; and be it further

**Sec. 6 Staff assistance. Resolved:** That the Legislative Council shall provide necessary staffing services to the commission; and be it further

**Sec. 7 Report. Resolved:** That, no later than December 2, 2009, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Joint Standing Committee on Health and Human Services. The Joint Standing Committee on Health and Human Services is authorized to introduce a bill related to the subject matter of the report to the Second Regular Session of the 124th Legislature upon receipt of the report.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

## SUMMARY

This resolve establishes the Commission To Examine Restructuring the Management of the Institutional Long-term Care Delivery System to improve quality of service while reducing the costs of services. The commission is to focus on the best ways to change basic systems within long-term care, such as restructuring the reimbursement and inspection systems, as well as the approach to the delivery of nursing services. The commission is to report its findings to the Joint Standing Committee on Health and Human Services, which is authorized to introduce a bill on the commission's findings and suggestions.