

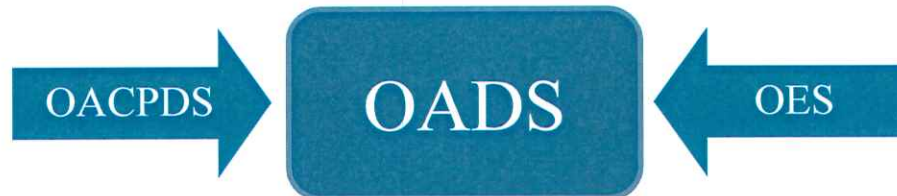
# The Office of Aging and Disability Services (OADS)

Amy MacMillan, Acting Director  
February 2019



# OADS: Who We Are

OADS was formed in August 2012 with the merger of the Office of Adults with Cognitive and Physical Disabilities (OACPDS) and the Office of Elder Services (OES).

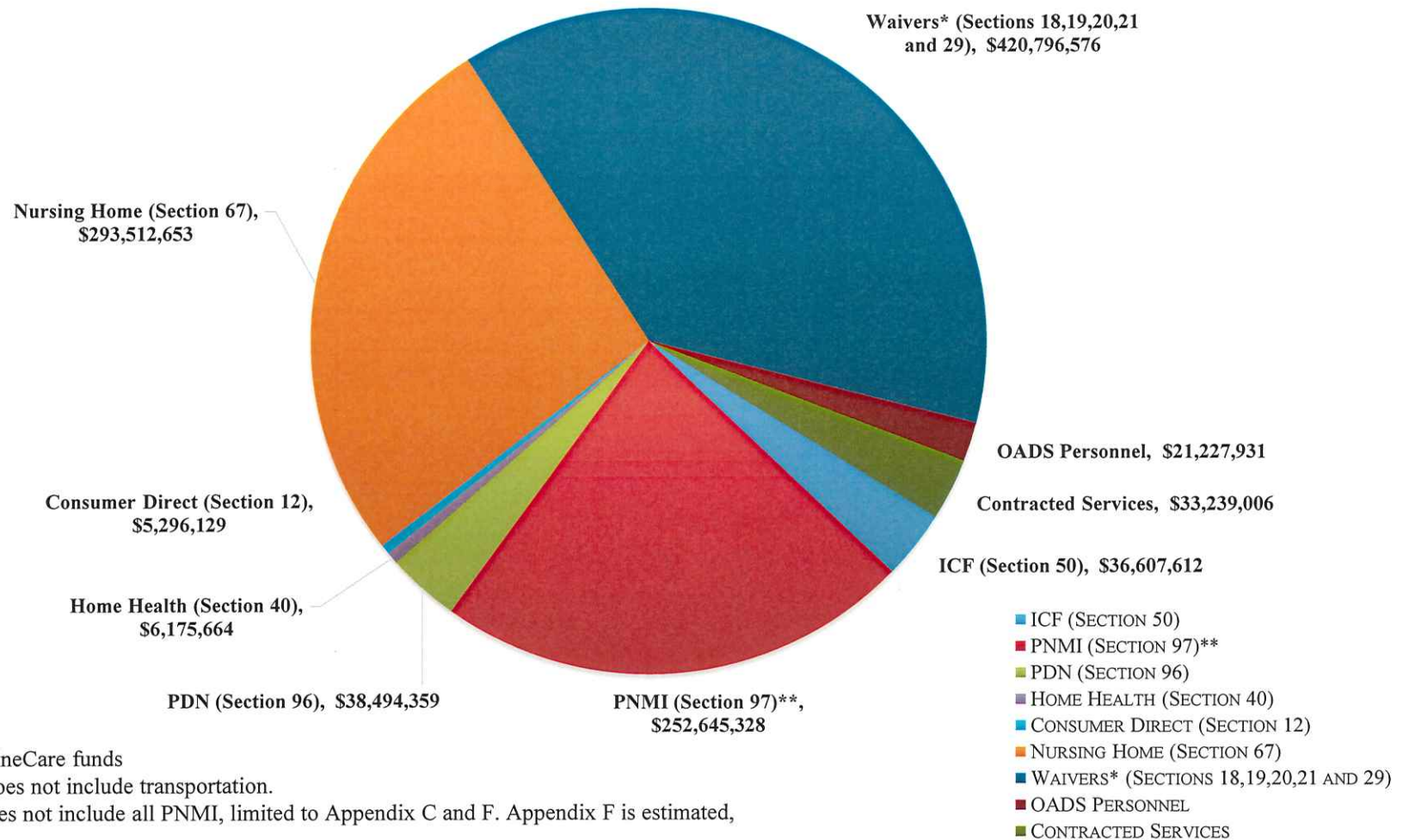


**Mission:** The Office of Aging and Disability Services promotes the highest level of independence, health and safety of older citizens, vulnerable adults and adults with disabilities.

**Staff Positions:** 307.5 Full-Time Equivalents (FTEs)

# OADS Expenditures by Service

## SFY18: \$1,107,995,258





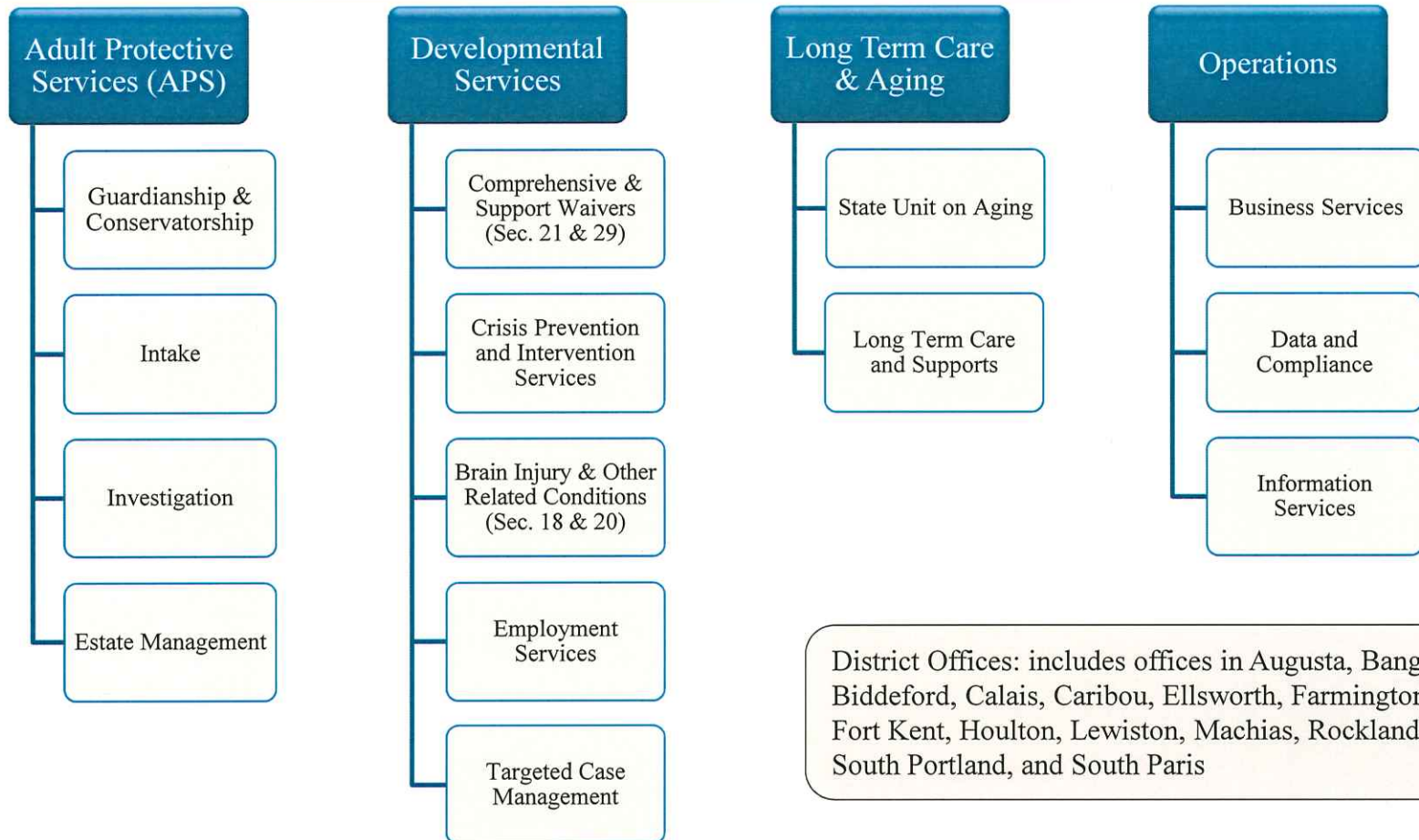
# Funds Managed, by DHHS Office

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OADS	\$54,466,937
Office of MaineCare Services	\$1,053,528,321
<b>Total Funds Managed</b>	<b>\$1,107,995,258</b>

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# OADS Organizational Units



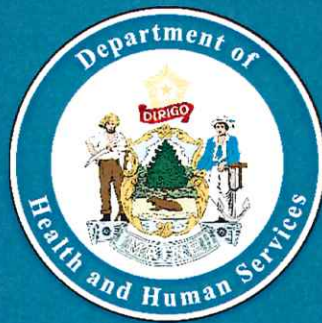
# Program Waitlist Information

Section	Service	Approximate Waitlist/Queue*
18	Home and Community-Based Services for Adults with Brain Injury	30
19	Home and Community Benefits for the Elderly and Adults with Disabilities	0
20	Home and Community Based Services for Adults with Other Related Conditions	25
21	Home and Community Benefits for Members with Intellectual Disabilities or Autism Spectrum Disorder	1,600
29	Support Services for Adults with Intellectual Disabilities or Autistic Spectrum Disorder	25
State Funded	Independent Support Services Program	500
State Funded	Home Delivered Meals Program	110
State Funded	Respite Care for People with Alzheimer's or Related Disorders	10
State Funded	Adult Day Services	5
State Funded	In-Home and Community Support Services for Elderly and Other Adults	150
State Funded	Consumer Directed Personal Assistance Services	1

\*point in time as of January 2019



# Adult Protective Services (APS)



# Guardianship/Conservatorship

- OADS is the DHHS Commissioner's designated public guardian/conservatorship representative
  - acts as a substitute decision maker on behalf of incapacitated adults
- Appointment is made as a “last resort” when
  - less restrictive options are not available
  - no suitable and willing private individual to serve
- “Limited” authority may be specified to limit the Department's decision-making authority to certain decisions, i.e. financial, medical, etc.
- Changes to Maine Probate Code (18-C MRSA) effective July 1, 2019
  - LD 123 from 128<sup>th</sup> Legislature, signed into law April 20, 2018



# Guardianship/Conservatorship

	<b>Guardianship</b>	<b>Conservatorship</b>
<b>Purpose</b>	To protect Maine's vulnerable elders and adults with disabilities from abuse, neglect and exploitation	To protect, preserve, and manage estates
<b>No. of adults served annually</b>	1,225*	37*
<b>No. served that are limited relationships</b>	183*	4*
<b>Notes</b>		May be appropriate when an individual has assets including property valued at over \$5,000.

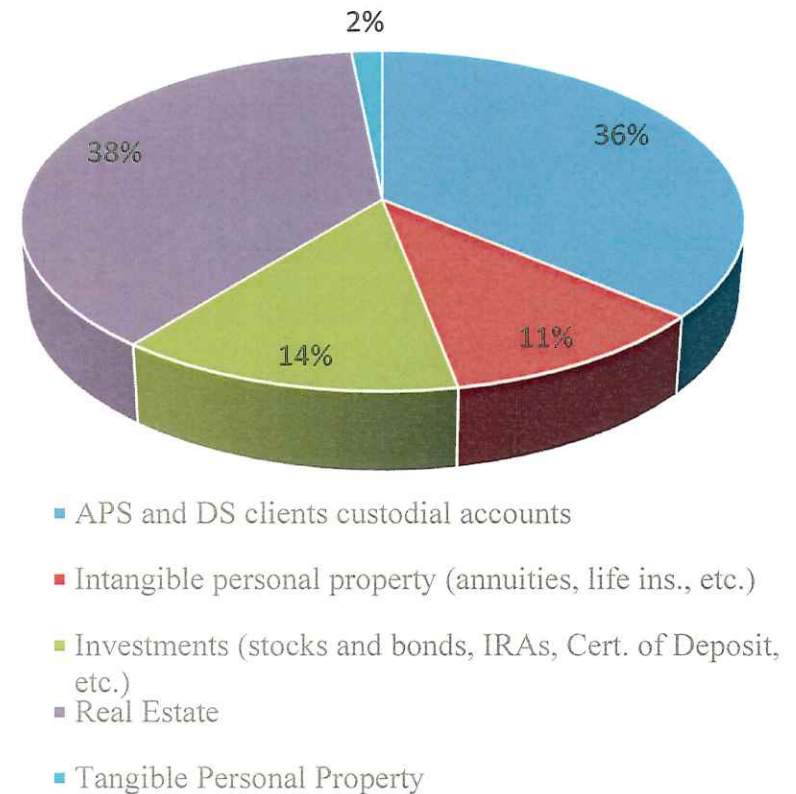
\*point in time as of December 2018

# Estate Management

- Manages the assets (approximately \$14 million) for individuals under public guardianship/conservatorship and protected persons
- Makes decisions and assists with disposition of tangible property and real estate
- Prepares state and tax returns for all individuals under public guardianship/conservatorship and protected persons with assistance from trained tax professionals
- Guardian Representatives may serve as
  - representative payees for Social Security beneficiaries
  - VA fiduciaries for VA disability beneficiaries

# Estate Management Client Assets as of January 2019

Description	Amount
APS and DS clients custodial accounts	\$ 4,371,666
Intangible personal property (annuities, life ins., etc.)	\$ 1,310,834
Investments (stocks and bonds, IRAs, Cert. of Deposit, etc.)	\$ 1,652,606
Real Estate	\$ 4,557,608
Tangible Personal Property	\$ 188,794
<b>TOTAL</b>	<b>\$ 12,081,508</b>





# Investigation

In accordance with the APS Act, the Adult Protective Services program is specifically responsible for the following:

- 1. Receiving, promptly investigating, and determining the validity of reports of alleged abuse, neglect, and exploitation of incapacitated and dependent adults (including Maine's elders, adults with developmental disabilities, adults with brain injuries, and other dependent populations);*
- 2. Taking appropriate action, including providing or arranging for the provision of appropriate services and making referrals to law enforcement; and*
- 3. Petitioning for guardianship or a protective order when all less restrictive alternatives have been tried and have failed to protect the incapacitated adult.*

# Investigation

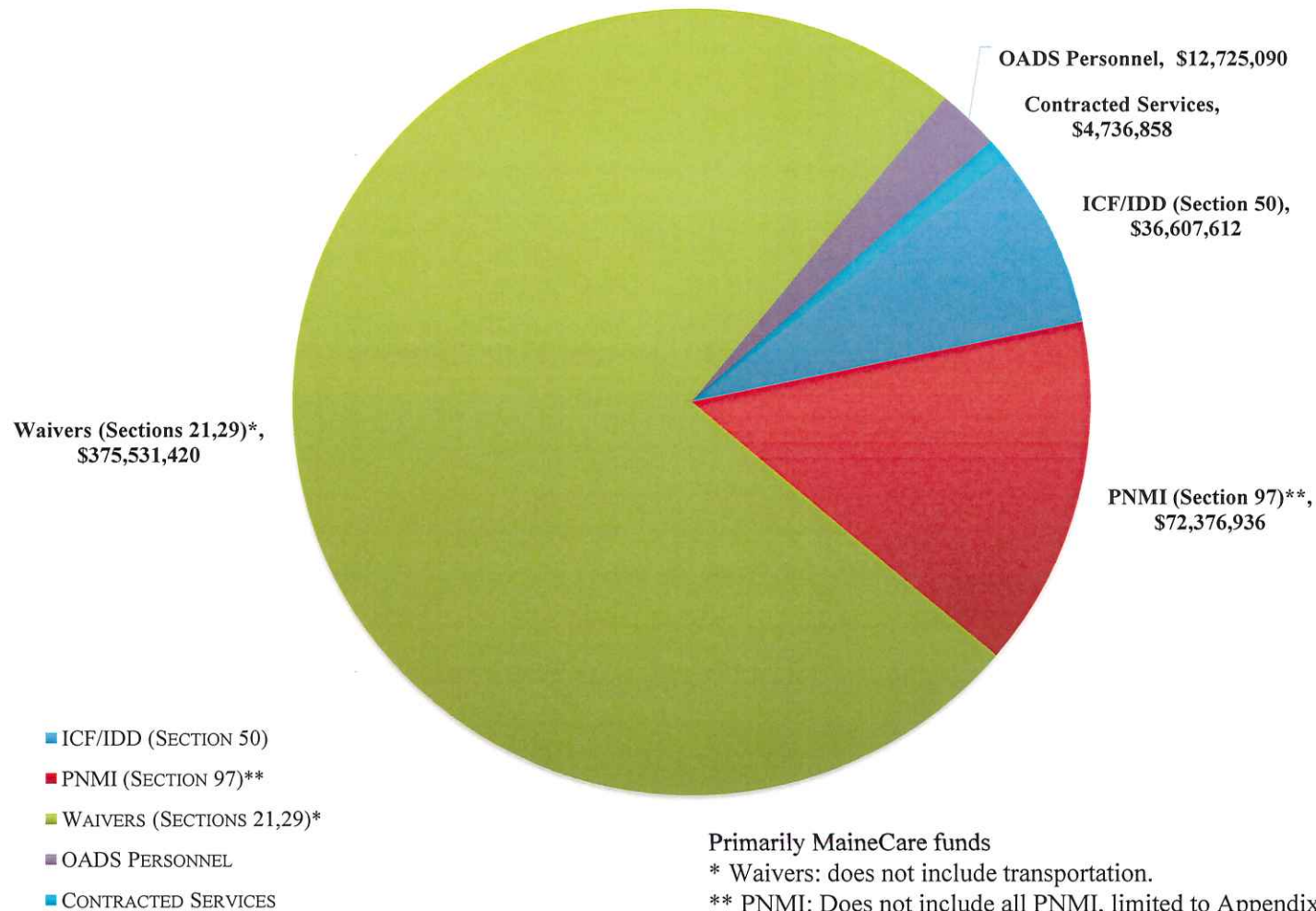
- APS investigates allegations of abuse, neglect (including self-neglect), and exploitation that are reported through a statewide APS Intake phone line (1-800-624-8404) and reported through a web referral form.
- Certain professionals are mandated by statute to make reports to APS.
- Public guardianship or conservatorship is only considered as a last resort when all less restrictive options are available to ensure an individual's health and safety.
- The Financial Abuse Specialist Team (FAST) within APS focuses on addressing financial abuse and working with local district attorneys to prosecute criminal acts.

# Developmental Services





# Developmental Services SFY18: \$501,977,916



Primarily MaineCare funds

\* Waivers: does not include transportation.

\*\* PNMI: Does not include all PNMI, limited to Appendix C and F (estimated).

# Comprehensive and Support Waivers

- Home Supports – in-home habilitative training and/or personal assistance services
- Work Supports – services and training activities provided at employment sites to help maintain jobs
- Community Supports – skill building in the areas of community engagement, inclusion, and personal development
- OADS serves adults age 21 years and older who have cerebral palsy, epilepsy or other related conditions (ORC): 35 served in SFY18

Comprehensive Benefits for Members with Intellectual Disabilities or Autistic Disorder  
(Section 21): 3,097

Support Services for Adults with Intellectual Disabilities or Autistic Disorder  
(Section 29): 2,273

# Crisis Prevention and Intervention Services

- Crisis Prevention and Intervention Services (CPIS) serves adults with intellectual disabilities and Brain Injury 24 hours a day, seven days a week
- Per the Pineland Consent Decree, a “crisis” is defined as:  
*“Any incident, behavior, activity or pattern of activity which could lead to the loss of a person’s residence, program or employment.”*
- CPIS includes:
  - Crisis Telephone Services
  - Mobile Outreach Services
  - In-home Crisis Supports
  - Wellness Checks
  - After hours public guardian representative
  - Crisis Residential Services
  - Consultation/Educational Contacts
  - Transitional/Emergency Housing and Respite Services
- CPIS is provided by 52 OADS staff members in four teams across eight districts



# Brain Injury

Each year, over 10,000 Maine citizens acquire a brain injury. Most recover, but about 300 develop long term disabilities.

Neurobehavioral Services assist, educate and rehabilitate people with brain injuries to attain and sustain the highest function and self-sufficiency using home based and community based treatments, services and resources to the greatest possible degree.

Service	Section	Members Served in SFY 18
Waiver Services for Adults with Brain Injury	18	183
Outpatient Neurorehabilitation Treatment Clinics	102	700
Skilled Specialized Brain Injury Nursing Care	67	70

# Employment Services

Approximately 300 Maine businesses employ clients receiving home and community based waiver services. Initiatives to support employment of older adults and adults with disabilities include:

- The **Employment First Maine Act** makes employment the first and preferred service for the Department's clients.
- Maine's **Employment Workforce Development System** provides certification, advanced training and support to employment professionals.
- The Maine **Business Leadership Network** provides resources and support to employers to hire employees with disabilities.

# Long Term Care and Aging Services





# State Unit on Aging

**OADS is designated as Maine's State Unit on Aging under the Older Americans Act (OAA) and is responsible for planning, developing, managing and providing services to promote independence for elders.**

To this end, OADS contracts with five Area Agencies on Aging (AAAs) which serve as “one-stop-shops” to provide referrals to and answer questions about a wide range of services and resources.

OAA services and supports are provided statewide, with AAA main offices located in the following cities:

- Aroostook Agency on Aging, Presque Isle
- Eastern Area Agency on Aging, Bangor
- Spectrum Generations, Augusta
- SeniorsPlus, Lewiston
- Southern Maine Agency on Aging, Scarborough

# Long Term Care Services and Supports Programs and No. of People Served as of Nov. 2018

MaineCare State Plan	MaineCare Waiver	State Funded	Grant
Consumer-directed Services (Section 12) 425	Elderly, physically disabled (Section 19) 1,056	Adult Day (OADS Section 61) 50	Homeward Bound (Money Follows the Person) 92
Home Health (Section 40) 2,992		Home Based Care (OADS Sections 11 and 63) 1,500	
Nursing Facility (Section 67) 3,934		Independent Support Services (Homemaker, OADS Section 69) 2,300	
Private Duty Nursing/Personal Care Services (Section 96) 2,150			
Residential Care (Section 97) 3,020			

# Long Term Care and Aging Services

The following services are available via OADS and/or the AAAs:

- Adult Day Services
- Care Management
- Family Caregiver Respite
- Employment
- Family Caregiver Respite
- Healthy Aging Programs (Chronic Disease Self-Management/Matter of Balance)
- Home Health
- Homemaker Services
- Housing
- Medical Eligibility Determination
- Nursing Home
- Nutrition (Meals on Wheels/Congregate Dining)
- Personal Care Services
- Residential Services
- State Health Insurance Assistance Program
- Senior Corps Volunteer Program
- Senior Medicare Patrol
- Supportive Housing



# Strategic Initiatives SFY2019-SFY2020

- Sustain corrective actions resulting from Office of Inspector General (OIG) Audit of Developmental Services
- Improve access to crisis and respite services; dental services
- Implement Home and Community Based Services (HCBS) rules
- Pursue rate parity across all waiver programs
- Implement Structured Decision Making process for Adult Protective Services
- Restore a stable operational environment for Assessing Services Agency Program
- Implement new care management IT system (Evergreen) and retire legacy systems

# OADS Reference Materials



# OADS Program and Policy Key

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Adult Day Services – OADS Policy Section 61

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Consumer Directed Home Based Services – OADS Policy Chapter 11

Consumer Directed Services – MaineCare Policy Section 12

Home Health Services – MaineCare Policy Section 40

Homeward Bound – Money Follows the Person Demonstration Grant

In Home and Community Supports – OADS Policy Section 63

Independent Support Services (Homemaker) – OADS Policy Section 69

Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IID) – MaineCare Policy Section 50

Nursing Facility (NF) – MaineCare Policy Section 67

Private Duty Nursing/Personal Care Services (PDN/PCS) – MaineCare Policy Section 96

Private Non-Medical Institutional Services (PMNI) Residential Care – MaineCare Policy Section 97

Waiver Services for Adults with Brain Injury – MaineCare Policy Section 18

Waiver Support Services for Adults with Intellectual Disabilities and Autistic Disorder – MaineCare Policy Section 29

Waiver Services for Adults with Other Related Conditions – MaineCare Policy Section 20

Waiver Services for the Elderly and Adults with Disabilities – MaineCare Policy Section 19

Waiver Services for Members with Intellectual Disabilities or Autistic Disorder – Section 21

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**If You Suspect ABUSE, NEGLECT or  
EXPLOITATION of a Vulnerable Adult**

**Please Call Adult Protective Services Immediately at:**

**Nationwide 24-hour, toll-free 1-800-624-8404**

**TTY In State, Maine Relay 711**

**TTY Out-of-State 207-287-3492**



# Questions?

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