

A Comparison and Overview of LD 1676 and 1709

Both bills seek to increase the degree and effectiveness of oversight of the state's services to its citizens with intellectual disabilities or autism, but in very *different* ways.

LD 1676

Establishes a Serious Injury & Death Review Panel for People with Intellectual Disabilities or Autism

LD 1676 is *reactive* in nature.

LD 1676 directly addresses the issue of uninvestigated deaths of persons with intellectual disabilities or autism; this was a major concern of the federal Office of Inspector General report of August, 2017.

The January 2018 OIG joint report specifically recommends that states implement mortality review panels that are independent, multi-disciplinary groups.

LD 1676 creates an independent panel comprised of subject matter experts to review the deaths and serious injuries to citizens with intellectual disabilities or autism.

LD 1676 establishes a process of analysis, review, and reporting to the legislature so that to the degree possible lessons may be learned from these unfortunate incidents and changes made if necessary to reduce or prevent future harm to this vulnerable population.

LD 1709

Establishes a mechanism for the Maine Developmental Services Oversight & Advisory Board to access DHHS records pertaining to individuals with intellectual disabilities or autism.

LD 1709 is *proactive* in nature.

LD 1709 enables the Maine Developmental Services Oversight and Advisory Board, through their staff, to directly access the records maintained by the Department of Health and Human Services pertaining to persons with intellectual disabilities or autism.

LD 1709 builds on the existing statutory requirements that identify reports, data and other pieces of information that the OAB requires from DHHS in order to perform its duties.

LD 1709 creates a mechanism for the volunteer citizens who comprise the MDSOAB to provide effective and independent oversight and advice for the legislature. LD 1709 puts in place appropriate statutory safeguards which prevent the unauthorized release by the MDSOAB of confidential information.

Example: Utilizing the recommendations from the OAB's analysis of data, the legislature can make informed decisions about relevant issues in the system of care, including but not limited to the condition of persons on waitlists for services, or the number and location of crisis beds that should be available to Maine's citizens with intellectual disabilities or autism.