



# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 535

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H.P. 354

House of Representatives, February 19, 2013

**An Act To Promote Greater Flexibility in the Provision of Long-term Care Services**

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Reference to the Committee on Health and Human Services suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative HUBBELL of Bar Harbor.  
Cosponsored by Senator LANGLEY of Hancock and  
Representatives: HARVELL of Farmington, MALABY of Hancock, SIROCKI of  
Scarborough, STUCKEY of Portland, VOLK of Scarborough.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §2147, sub-§10**, as amended by PL 1987, c. 486, §2, is further  
3 amended to read:

4 **10. Facilities licensed pursuant to chapter 405.** Hospitals, intermediate care  
5 facilities, skilled nursing facilities or other facilities licensed pursuant to chapter 405  
6 when the services are provided to clients residing in those facilities or in facilities owned  
7 by, adjacent to or physically connected to those facilities in which a continuum of care  
8 exists that includes assisted living or independent senior living, or to 6 or fewer clients at  
9 any one time in their homes under a plan of care approved by the department or its  
10 designee when it is documented in the patient's record that the licensed home health care  
11 agency or agencies serving the patient's area:

12 A. Have indicated that they are unable to provide those services; or

13 B. Agree that the plan of care is an acceptable plan.

14 The plan of care must meet standards for staff qualifications and supervision consistent  
15 with the standards required of licensed home health care providers;

16 **SUMMARY**

17 Current law precludes facilities licensed pursuant to the Maine Revised Statutes, Title  
18 22, chapter 405 from providing certain services under one license to residents living in a  
19 facility under a lower level license on the same campus. The purpose of this bill is to  
20 allow facilities licensed under Title 22, chapter 405 to provide a continuum of care and  
21 services to clients residing in those facilities without requiring the clients to leave the  
22 facility, without requiring the creation of a licensed home health agency and without  
23 having to seek approval of area licensed home health agencies.