

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND AND FIFTEEN

—
H.P. 70 - L.D. 87

**Resolve, To Implement the Recommendations of the Commission To
Continue the Study of Long-term Care Facilities**

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 people of the State need and deserve a variety of well-planned and financially stable long-term care services in home-based and community-based care settings and in nursing facilities in their communities; and

Whereas, recent closures of nursing facilities, in particular in rural and underserved areas of the State, have had a significant impact on Maine families and communities; and

Whereas, in order to provide high-quality care to Maine's elderly and disabled persons and to maintain access to services across the State, the Legislature must take immediate action to continue a thoughtful and thorough planning process; 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. Amendment of Principles of Reimbursement for Nursing Facilities. Resolved: That the Department of Health and Human Services shall amend Rule Chapter 101, MaineCare Benefits Manual, Chapter III, Section 67, Principles of Reimbursement for Nursing Facilities as follows.

1. Continuing education for direct care staff. The rule must be amended so that the cost of continuing education for direct care staff is included as a direct care cost component rather than a routine cost component.

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