

§7861. Administration of assisted housing facilities funded by the State; eligible clients

The Department of Health and Human Services, with advice from the Maine State Housing Authority, the United States Department of Agriculture, Rural Housing Service or any other housing agency financing assisted housing facilities, shall administer state-funded assisted housing facilities. Administration must include, but is not limited to: [PL 2023, c. 176, §32 (AMD).]

1. Rules; payment for assisted housing facilities. Adopting rules governing the services to be provided under assisted housing facilities paid for with state funds. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A; [PL 2023, c. 176, §32 (AMD).]

2. Compliance with standards and guidelines. Reviewing the compliance of assisted housing facilities with standards and guidelines established for the facilities; [PL 2023, c. 176, §32 (AMD).]

3. Awarding of grants. Awarding of grants, when available and necessary, to subsidize the cost of assisted housing facilities for eligible clients.

For the purposes of this subsection, "eligible clients" means adults who have been determined through an approved assessment by the department to be functionally or cognitively impaired and in need of financial assistance to access assisted housing facilities; and [PL 2023, c. 176, §32 (AMD).]

4. Residential care facility depreciation. Calculating depreciation recapture for a residential care facility, as defined in section 7852, subsection 14, that is reimbursed by the department under the rules of reimbursement for room and board costs, including depreciation, when the facility is sold on or after July 1, 2013, using a methodology that provides percentage credits for buildings, fixed equipment and moveable equipment based on the number of years of operation of the residential care facility by the owner that is consistent with the following:

A. For the purposes of determining depreciation recapture for buildings and fixed equipment, the methodology must determine the number of years of operation by reference to the date on which the owner began operating with the original license; [PL 2013, c. 582, §3 (NEW).]

B. For the purposes of determining depreciation recapture for moveable equipment, the methodology must enable percentage credits to reach 100% after the first 6 years of the assigned useful life; and [PL 2013, c. 582, §3 (NEW).]

C. The methodology must treat as equivalent to the owner of the residential care facility any person or entity that owns or controls the entity that owns the residential care facility and any entity that is owned or controlled by the owner of the residential care facility. [PL 2013, c. 582, §3 (NEW).] [PL 2013, c. 582, §3 (NEW).]

SECTION HISTORY

PL 2001, c. 596, §A1 (NEW). PL 2001, c. 596, §B25 (AFF). PL 2003, c. 689, §B6 (REV). PL 2011, c. 657, Pt. BB, §14 (AMD). PL 2013, c. 582, §§2, 3 (AMD). PL 2023, c. 176, §32 (AMD).

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