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Resolve, To Clarify the Rules of Reimbursement for Personnel Working in Homes Providing Services to Persons with Brain Injuries

Preamble. **Whereas,** current rules limit administrators of certain residential care facilities to performing only administrative duties; and

Whereas, certain residential care facilities for people with brain injuries are small and serve a unique group of individuals; and

Whereas, because the size of the staff of such homes is small, the staff must fulfill a variety of roles to best manage the health and safety needs of the individuals for whom they provide care; and

Whereas, in order to ensure that the costs to the MaineCare program are kept low and in order to best serve the citizens of the State, this legislation authorizes the administrators of such residential care facilities to perform duties other than administrative duties; now, therefore, be it

Sec. 1 Certain administrators not limited. Resolved: That, notwithstanding any provision of law or rule to the contrary, the administrator of a residential care facility is not limited solely to the performance of administrative duties if that residential care facility is:

1. A 6-bed Level III residential care facility licensed by the Department of Health and Human Services, Division of Licensing and Certification and reimbursed through MaineCare;
2. Limited to residents who suffer from brain injury; and
3. Not affiliated with a larger or parent organization.

SUMMARY

This resolve provides that, with respect to 6-bed Level III residential care facilities for residents who suffer from brain injury that are not affiliated with a larger or parent organization, administrators are not limited solely to the performance of administrative duties.