



# 132nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2025

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Legislative Document

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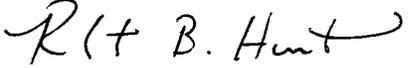
H.P. 1041

House of Representatives, April 10, 2025

**An Act Regarding Home Health Care and Hospice Services Ordered  
by a Health Care Provider Outside of Maine**

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

  
ROBERT B. HUNT  
Clerk

Presented by Representative CLOUTIER of Lewiston.  
Cosponsored by Senator ROTUNDO of Androscoggin and  
Representatives: GATTINE of Westbrook, MATHIESON of Kittery, MCCABE of Lewiston,  
SARGENT of York, SHAGOURY of Hallowell, WADSWORTH of Hiram, Senators:  
LAWRENCE of York, LIBBY of Cumberland.

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

2 **Sec. 1. 22 MRSA §2145-A** is enacted to read:

3 **§2145-A. Home health care services ordered by out-of-state health care provider**

4 **1. Requirements.** A home health care provider may deliver home health care services  
5 to a patient who resides in this State based upon an order from a health care provider  
6 licensed in another state or jurisdiction of the United States who meets the following  
7 requirements.

8 **A.** The health care provider must hold a license in good standing conferred by the  
9 medical board, nursing board or other provider licensing authority in the provider's  
10 jurisdiction of practice. The health care provider's licensure must be verified by the  
11 home health care provider in this State and made available upon request by the  
12 department.

13 **B.** The health care provider must prescribe home health care services pursuant to an  
14 in-person physical examination of the patient performed within the state or jurisdiction  
15 in which the health care provider is licensed.

16 **2. Contacting primary care provider.** The referring health care provider under  
17 subsection 1 shall ask the patient if the patient has a primary care provider in this State. If  
18 the patient does have a primary care provider in this State, the referring provider shall make  
19 every reasonable effort to contact the primary care provider and obtain the agreement of  
20 the primary care provider to order the home health care services. The referring health care  
21 provider shall make a notation of the contact in the patient's medical record.

22 **Sec. 2. 22 MRSA c. 1681, sub-c. 3** is enacted to read:

23 **SUBCHAPTER 3**

24 **HOSPICE SERVICES ORDERED BY OUT-OF-STATE HEALTH CARE**  
25 **PROVIDER**

26 **§8641. Hospice services ordered by out-of-state health care provider**

27 **1. Requirements.** A hospice provider may deliver hospice services to a patient who  
28 resides in this State based upon an order from a health care provider licensed in another  
29 state or jurisdiction of the United States who meets the following requirements.

30 **A.** The health care provider must hold a license in good standing conferred by the  
31 medical board, nursing board or other provider licensing authority in the provider's  
32 jurisdiction of practice. The health care provider's licensure must be verified by the  
33 hospice provider in this State and made available upon request by the department.

34 **B.** The health care provider must prescribe hospice services pursuant to an in-person  
35 physical examination of the patient performed within the state or jurisdiction in which  
36 the health care provider is licensed.

37 **2. Contacting primary care provider.** The referring health care provider under  
38 subsection 1 shall ask the patient if the patient has a primary care provider in this State. If  
39 the patient does have a primary care provider in this State, the referring provider shall make

1 every reasonable effort to contact the primary care provider and obtain the agreement of  
2 the primary care provider to order the hospice services. The referring health care provider  
3 shall make a notation of the contact in the patient's medical record.

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#### **SUMMARY**

5 This bill allows a home health care or hospice provider to deliver home health care or  
6 hospice services to a patient who resides in this State based upon an order from a health  
7 care provider from another state or jurisdiction in the United States who is licensed and  
8 prescribes services pursuant to an in-person physical examination in the jurisdiction of  
9 licensure.