

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FIVE

H.P. 818 - L.D. 1243

An Act Regarding the Licensing of Assisted Living 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, placement in assisted living facilities is limited, resulting in waiting lists; and

Whereas, existing facilities that are constructing new facilities should be licensed as quickly as possible; 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 enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §7851, sub-§3-A, ¶B, as enacted by PL 2023, c. 176, §7, is amended to read:

B. The department may issue more than one license at the same license level to an applicant for an assisted living facility license or a residential care facility license that, on October 1, 2023, held more than one license at the same license level for services offered in the same location. The department may also issue more than one license at the same license level to an applicant for an assisted living facility license or a residential care facility license if the applicant received municipal approval and permits and project financing approvals prior to March 1, 2023 and began construction, prior to October 1, 2023, on a facility at the same license level for services offered in the same location as long as there were no quality of care and services or resident rights violations of the license substantiated prior to October 1, 2023.

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