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Date: (Filing No. H-)

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 374, L.D. 597, “An Act to Improve Conditions for People Living in Recovery Residences by Requiring Approved Discharge and Transfer Policies”

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 5 MRSA §20057, as enacted by PL 2021, c. 472, §1, is amended by enacting at the end a new paragraph to read:

A certified recovery residence must have a written discharge and transfer policy that is approved by a credentialing entity that is recognized by the department. Notwithstanding any landlord and tenant rights and obligations under Title 14, chapter 709, a certified recovery residence with a discharge and transfer policy approved under this section may immediately discharge or transfer a resident in accordance with that policy if the discharge or transfer is necessary for the resident's welfare, the resident's needs cannot be met at the recovery residence or the health and safety of other residents or recovery residence employees are at risk or would be at risk if the resident continues to live at the recovery residence. A person who refuses to leave a recovery residence after a discharge or transfer that is consistent with the requirements of this section may be ordered to leave the premises by the recovery residence owner or operator or by a law enforcement officer.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment removes the requirements in the bill for the Department of Health and Human Services to approve a discharge and transfer policy for certified recovery residences and to adopt rules. The amendment specifies that the discharge and transfer policy must be approved by a credentialing entity that is recognized by the department. The amendment also clarifies that a person who refuses to leave a recovery residence after a discharge or

COMMITTEE AMENDMENT

1 transfer may be ordered to leave the premises by the recovery residence owner or operator
2 or by a law enforcement officer.

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FISCAL NOTE REQUIRED

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(See attached)