



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 154

H.P. 112

House of Representatives, January 27, 2015

An Act To Promote Greater Flexibility in the Provision of Long-term Care Services

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

Robert B. Hunt
ROBERT B. HUNT
Clerk

Presented by Representative STUCKEY of Portland.
Cosponsored by Representatives: HUBBELL of Bar Harbor, MALABY of Hancock, Senator:
LANGLEY of Hancock.

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

2 **Sec. 1. 22 MRSA §2147, sub-§10**, as amended by PL 1987, c. 486, §2, is further
3 amended to read:

4 **10. Facilities licensed pursuant to chapter 405.** Hospitals, intermediate care
5 facilities, skilled nursing facilities or other facilities licensed pursuant to chapter 405
6 when the services are provided to clients residing in those facilities or in facilities owned
7 by, adjacent to or physically connected to those facilities in which a continuum of care
8 exists that includes assisted living or independent senior living, or to 6 or fewer clients at
9 any one time in their homes under a plan of care approved by the department or its
10 designee when it is documented in the patient's record that the licensed home health care
11 agency or agencies serving the patient's area:

12 A. Have indicated that they are unable to provide those services; or

13 B. Agree that the plan of care is an acceptable plan.

14 The plan of care must meet standards for staff qualifications and supervision consistent
15 with the standards required of licensed home health care providers;

16 **SUMMARY**

17 Current law precludes facilities licensed pursuant to the Maine Revised Statutes, Title
18 22, chapter 405 from providing certain services under one license to residents living in a
19 facility under a lower level license on the same campus. The purpose of this bill is to
20 allow facilities licensed under Title 22, chapter 405 to provide a continuum of care and
21 services to clients residing in those facilities without requiring the clients to leave the
22 facility, without requiring the creation of a licensed home health agency and without
23 having to seek approval of area licensed home health agencies.