

132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 189

H.P. 122

House of Representatives, January 14, 2025

An Act to Increase Availability and Affordability of Mental Health Care and Substance Use Disorder Services by Removing the Certificate of Need Requirement

Reference to the Committee on Health Coverage, Insurance and Financial Services suggested and ordered printed.

ROBERT B. HUNT
Clerk

Presented by Representative LIBBY of Auburn.
Cosponsored by Senator BALDACCI of Penobscot and
Representatives: HASENFUS of Readfield, LAJOIE of Lewiston, MILLIKEN of Blue Hill,
SINCLAIR of Bath, SKOLD of Portland.

1	Be it enacted by the People of the State of Maine as follows:
2 3	Sec. 1. 22 MRSA §330, sub-§6, as enacted by PL 2001, c. 664, §2, is amended to read:
4 5	 Existing capacity. The use by an ambulatory surgical facility licensed on January 1, 1998 of capacity in existence on January 1, 1998; and
6 7	Sec. 2. 22 MRSA §330, sub-§7, as amended by PL 2003, c. 621, §1, is further amended to read:
8 9 10	7. Critical access hospitals. Conversion by a critical access hospital or a hospital in the process of becoming a critical access hospital of licensed acute care beds to hospital swing beds-; and
11	Sec. 3. 22 MRSA §330, sub-§8 is enacted to read:
12 13 14	8. Mental health and substance use disorder services. Mental and behavioral health care services and substance use disorder detoxification and treatment services offered by a health care facility.
15	SUMMARY
16 17 18	This bill eliminates the requirement for health care facilities to obtain a certificate of need for the provision of mental and behavioral health care services and substance use disorder detoxification and treatment services.