



132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

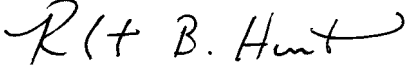
No. 1578

H.P. 1036

House of Representatives, April 10, 2025

**An Act to Require the Department of Health and Human Services to
Review Disruption to or Removal of Health Services**

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


ROBERT B. HUNT
Clerk

Presented by Representative DODGE of Belfast.
Cosponsored by Senator GROHOSKI of Hancock and
Representatives: DEBRITO of Waterville, EATON of Deer Isle, FRIEDMANN of Bar Harbor,
MILLIKEN of Blue Hill, Senators: BRENNER of Cumberland, CURRY of Waldo, TEPLER
of Sagadahoc.

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

2 **Sec. 1. 22 MRSA §332, sub-§1**, as amended by PL 2023, c. 343, §1, is further
3 amended to read:

4 **1. Subsequent review following approval.** When the commissioner has approved an
5 application filed unconditionally or subject to conditions pursuant to section 335,
6 subsection 8, the commissioner may conduct a subsequent review to ensure compliance
7 with any terms or conditions of approval within 3 years after the approved activity is
8 undertaken. The 3-year time limitation does not apply to a subsequent review to ensure
9 that the requirement set forth in section 335, subsection 1, paragraph G continues to be met
10 or to ensure the maintenance of health services after a circumstance described under section
11 331, subsection 1 has occurred or a change not described under section 331, subsection 1
12 that constitutes a significant disruption to or removal of a health service has occurred, as
13 determined by the commissioner. In any subsequent review, the commissioner may hold a
14 public hearing and may consider any material or significant changes in factors or
15 circumstances relied upon by the commissioner in approving the application and significant
16 and relevant information that either is new or was withheld by the applicant at the time of
17 the process under section 335. If, upon review, the commissioner determines that any terms
18 or conditions of the approval have not been met, the commissioner may take enforcement
19 action consistent with subsection 3 and other applicable provisions of this Act.

20 **SUMMARY**

21 This bill provides that the 3-year limitation on a subsequent review of an approved
22 certificate of need does not apply to a subsequent review to ensure the maintenance of
23 health services after a circumstance described under the Maine Revised Statutes, Title 22,
24 section 331, subsection 1 has occurred or a change not described under that provision that
25 constitutes a significant disruption to or removal of a health service has occurred, as
26 determined by the Commissioner of Health and Human Services.