

Date:

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## HEALTH AND HUMAN SERVICES

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### STATE OF MAINE HOUSE OF REPRESENTATIVES 132ND LEGISLATURE FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to H.P. 31, L.D. 67, “An Act to Establish Minimum Standards for Certain Urgent Care Facilities”

Amend the bill by inserting before section 1 the following:

**'Sec. 1. 22 MRSA §1811, first ¶,** as amended by PL 1989, c. 136, §1 and c. 572, §1 and repealed and replaced by c. 878, Pt. A, §58, is further amended to read:

~~No~~ A person, partnership, association or corporation, ~~nor~~ or any state, county or local governmental units, may not establish, conduct or maintain in the State any hospital, sanatorium, convalescent home, rest home, nursing home, ambulatory surgical facility, urgent care facility or other institution for the hospitalization or nursing care of human beings without first obtaining a license therefor. Hospital, sanatorium, convalescent home, rest home, nursing home, ambulatory surgical facility and other related institution, within the meaning of this chapter, means any institution, place, building or agency in which any accommodation is maintained, furnished or offered for the hospitalization of the sick or injured or care of any aged or infirm persons requiring or receiving chronic or convalescent care. ~~Nothing in this chapter may~~ This chapter does not apply to hotels or other similar places that furnish only board and room, or either, to their guests or to such homes for the aged or blind as may be subject to licensing under any other law.'

Amend the bill in section 1 in §1812-M by striking out all of subsection 1 (page 1, lines 4 to 11 in L.D.) and inserting the following:

**'1. Definition.** As used in this chapter, "urgent care facility" means a health care facility that is not otherwise licensed with a primary purpose of providing medical evaluation and care on a walk-in basis for non-life-threatening injuries and illnesses and that does not have a physician, physician assistant or nurse practitioner on site to provide patient care. "Urgent care facility" does not include:

A. A facility that is licensed as part of a hospital;

B. A facility that provides services or accommodations for patients who stay overnight;  
or

1 C. The private office of a physician or dentist in individual or group practice.'

2 Amend the bill by inserting after section 1 the following:

3 'Sec. 2. 22 MRSA §2053, sub-§3-A, as amended by PL 2007, c. 72, §1, is further  
4 amended to read:

5 **3-A. Health care facility.** "Health care facility" means a nursing home that is, or will  
6 be upon completion, licensed under chapter 405; a residential care facility that is, or will  
7 be upon completion, licensed under chapter 1663; a continuing care retirement community  
8 that is, or will be upon completion, licensed under Title 24-A, chapter 73; an assisted living  
9 facility that is, or will be upon completion, licensed under chapter 1664; a hospital; a  
10 community mental health facility; a scene response air ambulance licensed under Title 32,  
11 chapter 2-B and the rules adopted thereunder; a facility of a hospice program that is, or will  
12 be upon completion, licensed under chapter 1681; a nonprofit statewide health information  
13 network incorporated in the State for the purpose of exchanging health care information  
14 among licensed health care providers in the State; ~~or~~ a community health center; or an  
15 urgent care facility licensed under section 1812-M.'

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

## 18 SUMMARY

19 This amendment clarifies that the licensing standards established in the bill do not  
20 apply to facilities that have a physician, physician assistant or nurse practitioner on site to  
21 provide patient care. It also adds urgent care facilities to the definition of "health care  
22 facility" under the Maine Revised Statutes, Title 22, chapter 413, the laws governing the  
23 Maine Health and Higher Educational Facilities Authority.

## 24 FISCAL NOTE REQUIRED

25 (See attached)