

Date:

(Filing No. H-)

HEALTH AND HUMAN SERVICES

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

COMMITTEE AMENDMENT “ ” to H.P. 619, L.D. 960, “An Act Facilitating the Discharge of Hospitalized Patients to Nursing Facilities”

Amend the bill by striking out the title and substituting the following:

'Resolve, to Allow the Placement of Hospitalized Patients in Nursing Facilities in Alternative Locations Under Certain Circumstances'

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

'Sec. 1. Alternative nursing facility locations. Resolved: That the Department of Health and Human Services shall amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter II, Section 67, Nursing Facility Services, to allow for the placement of a MaineCare member, when the member is being discharged from a hospital to a nursing facility placement, in a nursing facility that is greater than 60 miles from the member's residence under the following conditions.

1. For placements that are beyond 60 miles from the member's residence but not more than 100 miles from the member's residence, the hospital must have attempted to find a placement that is within a 60-mile radius of the member's residence and those efforts, including refusals by facilities, must be documented.

2. For placements beyond 60 miles of the member's residence, the member must be provided with information, including written materials and contact information, about the long-term care ombudsman program in the Maine Revised Statutes, Title 22, section 5107-A for use by the member if the member determines, at any point, that a closer placement is desired.

3. For placements beyond 100 miles from the member's residence, the member or member's guardian must consent to the placement.'

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

SUMMARY

This amendment replaces the bill with a resolve. It removes the provisions in the bill related to emergency guardianship and MaineCare application processing. It requires the Department of Health and Human Services to amend its rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 67, Nursing Facility Services, to allow for the placement of a MaineCare member, when the member is being discharged from a hospital to a nursing facility, into a nursing facility that is greater than 60 miles from a member's residence. The hospital must attempt to locate a placement within a 60-mile radius and document its efforts and any refusals from facilities, the member must be provided with information on the State's long-term care ombudsman program if the placement is beyond 60 miles and the member must consent to a placement that is beyond 100 miles from the member's residence.

FISCAL NOTE REQUIRED

(See attached)