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Date: (Filing No. H- )

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
125TH LEGISLATURE  
FIRST REGULAR SESSION**

HOUSE AMENDMENT “ ” to COMMITTEE AMENDMENT “B” to H.P. 286, L.D. 360, Bill, “An Act To Repeal the Maine Certificate of Need Act of 2002”

Amend the amendment in Part A in section 5 in subsection 4-A in paragraph B in subparagraph (1) in the first line (page 3, line 27 in amendment) by striking out the following: "\$10,000,000" and inserting the following: '\$1,000,000'

Amend the amendment in Part B in section 1 in subsection 6 by striking out all of paragraph A (page 4, lines 10 to 14 in amendment) and inserting the following:

'A. A nursing facility converting beds used for the provision of nursing services to beds to be used for the provision of residential care services. If such a conversion occurs, MaineCare and other public funds may not be obligated for payment of services provided in the converted beds unless approved by the department pursuant to the provisions of sections 333-A and 334-A. In order to approve a conversion under this paragraph, the department must determine that any increased MaineCare residential care costs associated with the converted beds are fully offset by reductions in the MaineCare costs from the reduction in MaineCare nursing facility costs associated with the converted beds; '

Amend the amendment in Part B in section 8 in subsection 3-A in the last line (page 6, line 5 in amendment) by inserting after the following: "pool." the following: 'In order for the department to approve delicensing, selling or transferring under this subsection, the department must determine that any increased MaineCare residential care costs associated with the converted beds are fully offset by reductions in the MaineCare costs from the reduction in MaineCare nursing facility costs associated with the converted beds.'

Amend the amendment by striking out all of Part E.

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

**HOUSE AMENDMENT**

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**SUMMARY**

This amendment lowers the threshold of capital expenditures for which a new health care facility other than a nursing facility must obtain a certificate of need from \$10,000,000 to \$1,000,000.

This amendment reinforces the authority of the Department of Health and Human Services to approve the conversion of nursing facility beds to residential care beds and the delicensing, selling and transferring of nursing facility beds. It requires the department to determine that any increase in residential care costs for the MaineCare program are offset by reductions in nursing facility costs. It eliminates the costs for the committee amendment and the need for appropriations and allocations.

**SPONSORED BY:** \_\_\_\_\_

**(Representative EVES)**

**TOWN: North Berwick**