

Janet T. Mills
Governor

Sara Gagné-Holmes
Commissioner



Maine Department of Health and Human Services
Division of Licensing and Certification
11 State House Station
41 Anthony Avenue
Augusta, Maine 04333-0011
Tel; (207) 287-9200; Toll Free: (800) 262-2232
Fax (Disability) (207) 287-9915; Fax (Aging) (207)287-9229
TTY: Dial 711 (Maine Relay)

April 11, 2025

Senator Henry Ingwersen, Chair
Representative Michele Meyer, Chair
Members, Joint Standing Committee on Health and Human Services
100 State House Station
Augusta, ME 04333-0100

Re: LD 1243 – *An Act Regarding the Licensing of Assisted Living Facilities*

Senator Ingwersen, Representative Meyer and members of the Joint Standing Committee on Health and Human Services, thank you for the opportunity to provide information as you consider LD 1277, *An Act Regarding Controlled Substances Prescription Monitoring Activities*.

”
The intent of this bill is to create an exemption to the 2023 law that prohibited a building/facility from obtaining multiple small facility licenses instead of a single large facility license for projects that were already in process prior to the law's enactment.

The Division of Licensing is neither for nor against this bill and its intent to address specific mitigating factors for a licensee such as the fact the licensee had obtained local government approval, permits and project commencement prior to the 131st Legislature session in which the law was heard as a bill and subsequently passed.

The Division would like to offer an amendment to the Committee in order to ensure that specific factors are included in the proposed statute change should the bill pass; the Division offers the following language below in red font for your consideration as an amendment:

Sec. 1. 22 MRSA §7851, sub-§3-A, ¶B, as enacted by PL 2023, c. 176, §7, is amended to read:

B. The department may issue more than one license at the same license level to an applicant for an assisted living facility license or a residential care facility license that, on October 1, 2023, held more than one license at the same license level for services offered in the same location. The department may also issue more than one license at the same license level to an applicant for an assisted living facility license or a residential care facility license if the applicant obtained municipal government approval and permits as well as project financing approvals prior to the 131st Legislature's review of the 2023 law and that the licensee had begun construction, prior to October 1, 2023, on a facility at the same license level for services offered in the same location as long as there were no Quality of Care and Services or Resident Rights violations of the license substantiated prior to October 1, 2023.

Sincerely,

A handwritten signature in dark ink, appearing to read "Bill Montejo". The signature is fluid and cursive, with a horizontal line extending from the end.

Bill Montejo

Director

Division of Licensing and Certification

Maine Department of Health and Human Services