

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 657

H.P. 486

House of Representatives, January 30, 1997

**Resolve, to Establish the Commission to Examine Rate Setting and the
Financing of Long-term Care Facilities.**

(EMERGENCY)

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

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative TRIPP of Topsham.
Cosponsored by Representatives: GREEN of Monmouth, WATSON of Farmingdale.

2 **Emergency preamble.** Whereas, Acts and resolves of the
Legislature do not become effective until 90 days after
adjournment unless enacted as emergencies; and

4 Whereas, this resolve establishes the Commission to Examine
6 Rate Setting and the Financing of Long-term Care Facilities; and

8 Whereas, this resolve is necessary as an emergency measure
to afford adequate time for the issues to be appropriately
10 addressed by the commission; and

12 Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
14 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
16 safety; now, therefore, be it

18 **Sec. 1. Commission established. Resolved:** That the Commission
to Examine Rate Setting and the Financing of Maine's Long-term
20 Care Facilities, referred to in this resolve as the "commission,"
is established; and be it further

22 **Sec. 2. Commission membership. Resolved:** That the commission
24 consists of the following 9 members:

26 1. Two members of the Senate, appointed by the President of
the Senate;

28 2. Two members of the House of Representatives, appointed
30 by the Speaker of the House; and

32 3. Five representatives of residents of long-term care
facilities, appointed by the Governor; and be it further

34 **Sec. 3. Appointments; meetings. Resolved:** That all
36 appointments must be made no later than 30 days following the
effective date of this resolve. The Executive Director of the
38 Legislative Council must be notified by all appointing
authorities once the selections have been made. Within 15 days
40 after appointment of all members, the Chair of the Legislative
Council shall call and convene the first meeting of the
42 commission. The commission shall select a chair from among its
members; and be it further

44 **Sec. 4. Duties. Resolved:** That the commission shall examine
46 the following issues concerning long-term care facilities:

48 1. How rates are set;

2 2. The levels of profit guaranteed by the rate of
reimbursement;

4 3. The advisability of rate equalization between private
and public payers;

6 4. The case mix payment system for private paying patients;

8 5. The possibility of regulating the long-term care
10 industry in the manner of regulating public utilities;

12 6. How to maintain quality of care; and

14 7. The relationship of long-term care payment structures to
16 managed care and the maintenance of nursing home standards; and
be it further

18 **Sec. 5. Staff assistance. Resolved:** That the commission may
20 request staffing assistance from the Legislative Council; and be
it further

22 **Sec. 6. Compensation. Resolved:** That the members of the
24 commission are not entitled to compensation or reimbursement of
any type; and be it further

26 **Sec. 7. Report. Resolved:** That the commission shall submit
28 its report, together with any necessary implementing legislation,
to the Second Regular Session of the 118th Legislature no later
30 than December 15, 1997. If the commission requires an extension,
it may apply to the Legislative Council, which may grant the
extension.

32 **Emergency clause.** In view of the emergency cited in the
34 preamble, this resolve takes effect when approved.

36

SUMMARY

38

40 This resolve establishes the Commission to Examine Rate
Setting and the Financing of Long-term Care Facilities.