

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 21

H.P. 24

House of Representatives, January 6, 2005

An Act To Enhance Community Involvement Regarding Methadone Clinics

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MAZUREK of Rockland.
Cosponsored by Representatives: BOWEN of Rockport, HOGAN of Old Orchard Beach,
MERRILL of Appleton, PINGREE of North Haven, RECTOR of Thomaston, RICHARDSON
of Warren, VALENTINO of Saco, Senator: SAVAGE of Knox.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 5 MRSA §20005-B** is enacted to read:

6 **§20005-B. Licensure of methadone clinics**

8 Licensure of a methadone clinic, referred to in this section as a "clinic," is subject to the following requirements.

10 1. **Performance standards.** The office shall adopt annual performance standards based on best practices for licensure and
12 continued licensure of clinics. An application to license a new clinic must include plans to meet the performance standards
14 during the licensure period. A clinic that does not meet the performance standards at the end of a licensure period may be
16 given 3 months to meet those standards or submit a plan of correction and may be conditionally licensed for that 3-month
18 period.

20 2. **Location.** The office may not issue a license for a new clinic in a location within 2,000 feet of a licensed child care
22 facility or a school.

24 3. **Public meeting.** Prior to making a determination on a license application for a new clinic, the office shall hold a
26 public meeting in the municipality in which the clinic is to be located. At the public meeting, the applicant for the clinic
28 shall provide information on the operational plan of the clinic and plans for automobile traffic and security. The office must
30 provide public notice prior to the meeting. The meeting must include an opportunity for the public to provide information to
32 the office.

34 4. **License period.** The license period for a clinic is one
36 year.

38 5. **Rulemaking.** The office shall adopt rules to implement this section. Rules adopted pursuant to this subsection are
40 routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

42 **SUMMARY**

44 This bill requires the Department of Health and Human
46 Services, Office of Substance Abuse to adopt annual performance
48 standards for the licensure of methadone clinics and to hold a
50 public meeting before granting the initial license for a clinic.
The bill prohibits licensing a new clinic within 2,000 feet of a
licensed child care facility or a school.