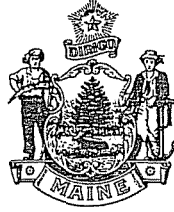


# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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Legislative Document

No. 252

H.P. 198

House of Representatives, January 27, 2009

### An Act Regarding the Transfer of Nursing Facilities

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative AYOTTE of Caswell.  
Cosponsored by Senator JACKSON of Aroostook and  
Representatives: BEAULIEU of Auburn, EDGECOMB of Caribou, JOY of Crystal, LEWIN of  
Eliot, McFADDEN of Dennysville, MILLETT of Waterford, THOMAS of Ripley, Senator:  
SHERMAN of Aroostook.

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

2 **Sec. 1. 22 MRSA §3175-D** is enacted to read:

3 **§3175-D. Nursing facility depreciation**

4 **1. Depreciation.** For sales of nursing facilities, as defined in section 1812-A, that  
5 occur on or after October 1, 2010, the department may not require repayment to the  
6 department at the time of sale of the facility of the amount of depreciation that was  
7 reimbursed under the MaineCare program.

8 **2. Rulemaking.** The department shall adopt rules implementing this section. Rules  
9 adopted under this subsection must apply to all sales of nursing facilities, as defined in  
10 section 1812-A, that occur on or after October 1, 2010. Rules adopted under this  
11 subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

12 **SUMMARY**

13 This bill provides that, for sales of nursing facilities that occur on or after October 1,  
14 2010, the Department of Health and Human Services may not require repayment of  
15 depreciation reimbursed under the MaineCare program. It directs the Department of  
16 Health and Human Services to amend the rules of reimbursement under the MaineCare  
17 program applicable to nursing facilities to implement the provisions of this bill and  
18 designates such rules as routine technical rules.