

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 189

H.P. 122

House of Representatives, January 14, 2025

**An Act to Increase Availability and Affordability of Mental Health
Care and Substance Use Disorder Services by Removing the
Certificate of Need Requirement**

Reference to the Committee on Health Coverage, Insurance and Financial Services
suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative LIBBY of Auburn.
Cosponsored by Senator BALDACCI of Penobscot and
Representatives: HASENFUS of Readfield, LAJOIE of Lewiston, MILLIKEN of Blue Hill,
SINCLAIR of Bath, SKOLD of Portland.

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

2 **Sec. 1. 22 MRSA §330, sub-§6**, as enacted by PL 2001, c. 664, §2, is amended to
3 read:

4 **6. Existing capacity.** The use by an ambulatory surgical facility licensed on January
5 1, 1998 of capacity in existence on January 1, 1998; ~~and~~

6 **Sec. 2. 22 MRSA §330, sub-§7**, as amended by PL 2003, c. 621, §1, is further
7 amended to read:

8 **7. Critical access hospitals.** Conversion by a critical access hospital or a hospital in
9 the process of becoming a critical access hospital of licensed acute care beds to hospital
10 swing beds; and

11 **Sec. 3. 22 MRSA §330, sub-§8** is enacted to read:

12 **8. Mental health and substance use disorder services.** Mental and behavioral health
13 care services and substance use disorder detoxification and treatment services offered by a
14 health care facility.

15 **SUMMARY**

16 This bill eliminates the requirement for health care facilities to obtain a certificate of
17 need for the provision of mental and behavioral health care services and substance use
18 disorder detoxification and treatment services.