

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1243

H.P. 818

House of Representatives, March 25, 2025

An Act Regarding the Licensing of Assisted Living Facilities

(EMERGENCY)

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

A handwritten signature in cursive script, reading "R. B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative STROUT of Harrington.
Cosponsored by Senator MOORE of Washington and
Representatives: COLLAMORE of Pittsfield, DRINKWATER of Milford, GRIFFIN of
Levant, JAVNER of Chester, QUINT of Hodgdon, SMITH of Palermo, STOVER of
Boothbay, ZAGER of Portland.

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

Whereas, placement in assisted living facilities is limited, resulting in waiting lists; and

Whereas, existing facilities that are constructing new facilities should be licensed as quickly as possible; and

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

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

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 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 violations of the license substantiated prior to October 1, 2023.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This bill allows an assisted living facility that received a license prior to October 1, 2023 and commenced construction of a new facility prior to October 1, 2023 to be subject to the same licensure requirements as the licensee was subject to at the time of the prior license. If there were licensing violations at the facility under the previous license, the licensee does not qualify.