

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 4, 2024 to March 21, 2025

FIRST SPECIAL SESSION
March 25, 2025 to June 25, 2025

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 20, 2025

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
SEPTEMBER 24, 2025

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2025

district that has received approval from the commission under sections 2102 and 2105, the right of eminent domain as provided under section 3911.

See title page for effective date.

CHAPTER 304

S.P. 746 - L.D. 1905

An Act Regarding the Authority of the Office of Professional and Occupational Regulation and the Licensing Boards and Commissions Within That Office to Pursue Complaints

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

Sec. 1. 10 MRSA §8003, sub-§5-A, ¶D, as amended by PL 2021, c. 167, §§7 to 9, is further amended by amending subparagraph (6) to read:

(6) Delegate to staff the authority to review and approve applications for licensure pursuant to procedures and criteria established by rule. Rules adopted pursuant to this subparagraph are routine technical rules as described in Title 5, chapter 375, subchapter 2-A; ~~and~~

Sec. 2. 10 MRSA §8003, sub-§5-A, ¶D, as amended by PL 2021, c. 167, §§7 to 9, is further amended by enacting a new subparagraph (6-A) to read:

(6-A) Delegate to staff the authority to determine if a pending complaint describes a violation of law or rule that is not within the authority of the office, board or commission to enforce; and

See title page for effective date.

CHAPTER 305

S.P. 768 - L.D. 1961

An Act to Clarify the Laws Relating to the Licensure of Certain Facilities by the Department of Health and Human Services

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

PART A

Sec. A-1. 22 MRSA §1717, sub-§2-C, ¶C, as enacted by PL 2023, c. 309, §7, is amended to read:

C. A conditional license for a personal care agency with a provisional or a full license that fails to comply with applicable laws and rules when, in the judgment of the commissioner, issuing a conditional license is in the best interest of the public. The conditional license must specify what corrections the personal care agency is required to make during the term of the conditional license and a timeline for those corrections. The conditional license may be issued for a period of time not more than 12 months or the remaining period of the personal care agency's full license, whichever the commissioner determines is appropriate considering the laws and rules violated. A conditional license may be issued to an agency upon initial application if the agency has failed to comply with applicable laws and rules while operating under another license.

Sec. A-2. 22 MRSA §1813, 3rd ¶, as enacted by PL 1997, c. 488, §1, is amended to read:

For nursing facilities providing both nursing ~~home~~ facility and assisted ~~living~~ housing services, the department shall issue one license reflecting both levels of care. The commissioner shall adopt rules to implement this paragraph. Rules adopted pursuant to this paragraph are routine technical rules as defined by Title 5, chapter 375, subchapter ~~H-A~~ 2-A.

Sec. A-3. 22 MRSA §7701, sub-§2, as amended by PL 2001, c. 645, §2, is further amended to read:

2. Facility. As used in this subtitle, the word "facility" means any of the places described in section 7801 or defined in section 8001, 8101, 8201 or 8301-A, subsection 1-A, paragraph B.

Sec. A-4. 22 MRSA §7802, sub-§1, ¶C, as enacted by PL 1983, c. 386, §2, is amended to read:

C. A conditional license or approval may be issued by the department when the individual or agency fails to comply with applicable ~~law~~ laws and rules and, in the judgment of the commissioner, the best interest of the public would be so served by issuing a conditional license or approval. The conditional license or approval ~~shall~~ must specify when and what corrections must be made during the term of the conditional license or approval. A conditional license or approval may be issued upon initial application to an individual or agency that has failed to comply with applicable laws and rules while operating under another license.

Sec. A-5. 22 MRSA §7852, sub-§6, as amended by PL 2023, c. 176, §14, is further amended to read:

6. Independent housing with services program. "Independent housing with services program" means a program of supportive services provided to residents in