

# MAINE STATE LEGISLATURE

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# ONE HUNDRED AND FIFTH LEGISLATURE

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## Legislative Document

No. 1399

H. P. 1020

House of Representatives, March 9, 1971

Referred to Committee on Health and Institutional Services. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Tyndale of Kennebunkport.

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## STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-ONE

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### AN ACT to Provide for Temporary and Conditional Licenses for Boarding Homes and Day Care Facilities.

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

R. S., T. 22, § 3797, sub-§ 1, amended. Subsection 1 of section 3797 of Title 22 of the Revised Statutes, as amended by section 1 of chapter 401 of the public laws of 1965, is further amended by adding a new paragraph at the end to read as follows:

When any such boarding home or day care facility, upon inspection by the department, shall be found not to meet all requirements of this section and departmental regulations thereunder, then the department is authorized to issue either a temporary license for a specified period not to exceed 90 days, during which time corrections specified by the department shall be made by said boarding home or day care facility for compliance with this section and departmental regulations thereunder, if in the judgment of the commissioner the best interests of the public will be so served, or a conditional license setting forth conditions which must be met by the boarding home or day care facility to the satisfaction of the department. Failure of said boarding home or day care facility to meet any such conditions shall immediately void such conditional license by written notice thereof to the conditional licensee or if said licensee cannot be reached for personal service by notice thereof being left at the licensed premises. A new application for a regular license may be considered by the department if, when and after the conditions set forth by the department at the time of issuance of such temporary or conditional license have been met and satisfactory evidence of this fact has been furnished to said department.

## STATEMENT OF FACT

There is a problem in the inability of the Department to issue temporary or conditional licenses for day care facilities and boarding homes. If operating facilities fail to immediately meet standards, they cannot operate. New facilities may have to delay providing services.

This bill will reduce problems for many boarding homes and day care facilities serving children, services which are sorely needed in Maine.