

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1526

H. P. 1212

House of Representatives, March 26, 1975

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

EDWIN H. PERT, Clerk

Presented by Mr. Goodwin of South Berwick.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

**AN ACT Authorizing and Directing the Department of Health and
Welfare to Propose Certificate of Need Legislation.**

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

22 MRSA § 254 is enacted to read:

§ 254. Certificate of need

The department is directed to prepare suggested legislation relating to issuance of so-called Certificates of Need, as defined in United States Public Law 93-641, to hospitals, nursing homes, home health agencies and other institutional health care providers for the construction of major new facilities or major structural alterations and major additions or changes in services available for submission to the next regular or special session of the Legislature, whichever is sooner. The department is authorized and instructed to conduct hearings, review written and verbal evidence, to obtain necessary consultation and to consult with interested parties in such preparation.

STATEMENT OF FACT

The National Health Planning and Resources Development Act of 1974 (PL 93-641) as passed by the 93rd Congress and signed by the President on January 4, 1975, requires that all states have so-called "Certificate of Need" laws in force within approximately 2 years. The Federal Department of Health, Education and Welfare is planning to propose a model law for possible adoption by the states within the next year. Certificate of Need

is a controversial process which is still under study and review by a number of interested agencies in the State. This Act would direct the Department of Health and Welfare to conduct an open and careful examination of the issue in preparation for substantive review by the State Legislature at a future date. No additional cost to the State is anticipated.