

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 591

6  
7 S.P. 229

In Senate, February 19, 1985

8 Reference to the Committee on Human Resources suggested and ordered  
9 printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Bustin of Kennebec.

11 Cosponsored by Representative Connolly of Portland, Representative  
Hayden of Durham and Representative Melendy of Rockland.

12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-FIVE  
16

17 AN ACT to Protect Applicants for Admission to  
18 Nursing Homes from Unfair and Illegal  
19 Trade Practices.  
20

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

23 22 MRSA c. 405-D is enacted to read:

24 CHAPTER 405-D

25 ADMISSIONS TO NURSING HOMES;

26 UNFAIR AND ILLEGAL TRADE PRACTICES

27 §1881. Applicability

28 This chapter applies to all contracts or agree-  
29 ments executed at the time of admission or prior to  
30 admission by a resident or legal representative and  
31 by any nursing home licensed pursuant to section  
32 1817.



1           The Nursing Home Ombudsman Program has continued  
2 to monitor admissions' contracts, since the issuance  
3 of the model document and the contracts reviewed by  
4 the program still contain inappropriate language.  
5 The program has prioritized the issue of unfair and  
6 illegal clauses in nursing home contracts for action  
7 during the fiscal year 1984-85.

8           The 1984 Blaine House Conference on Aging re-  
9 viewed the nursing home admissions' contract issue  
10 during its session on "Access to Long-term Care for  
11 Medicaid Eligible Consumers" and passed a resolution  
12 calling for legislative action in this area. Subse-  
13 quently, the Maine Committee on Aging at its October  
14 meeting set its 1984-85 legislative agenda, giving  
15 top priority to the pursuit of a broad-based remedy  
16 to address the problem of illegal and unfair language  
17 contained in these contracts.

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