

MAINE STATE LEGISLATURE

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§
D. OFR.

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L.D. 1264
(Filing No. S- 274)

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STATE OF MAINE
SENATE
112TH LEGISLATURE
FIRST REGULAR SESSION

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COMMITTEE AMENDMENT " A " to S.P. 461, L.D. 1264, Bill, "AN ACT to Amend the Maine Certificate of Need Act to Correct Inconsistencies Related to Other Statutory Provisions and to Ensure Cost-effective Development of Services Requiring Acquisition of Major Medical Equipment."

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Amend the bill by striking out all of sections 4 and 5.

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Further amend the bill by striking out all of section 12 and inserting in its place the following:

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'Sec. 12. 22 MRSA §307, sub-§6-A, as enacted by PL 1981, c. 705, Pt. V, §29, is amended to read:

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6-A. Review cycles. The department shall establish review cycles for the review of applications. There shall be at least 6 one review cycles cycle for each type or category of project each calendar year, the dates for which shall be published at least 3 months in advance. An application shall be reviewed during the next scheduled review cycle following the date on which the application is either declared complete or submitted for review pursuant to section 306-A, subsection 4, paragraph B. Hospital projects which must be considered within the constraints established by the Certificate of Need Development Account established pursuant to section 396-K may be grouped for competitive review purposes at least once each year; provided that, for minor projects, as defined by the department through rules adopted pursuant to section 312, the department shall allocate a portion of the Certificate of Need Development Account for the approval of those projects and shall establish at least 6 review cycles each year for the review of those projects. Nursing home projects

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1 which propose to add new nursing home beds to the in-
2 ventory of nursing home beds within the State may be
3 grouped for competitive review purposes consistent
4 with appropriations made available for that purpose
5 by the Legislature. The department may hold an appli-
6 cation for up to 90 days following the commencement
7 of the next scheduled review cycle if, on the basis
8 of one or more letters of intent on file at the time
9 the application is either declared complete or sub-
10 mitted for review pursuant to section 306-A, subsec-
11 tion 4, paragraph B, the department expects to re-
12 ceive within the additional 90 days one or more other
13 applications pertaining to similar types of services,
14 facilities or equipment affecting the same health
15 service area. Pertinent health service areas shall
16 be defined in regulations promulgated by the depart-
17 ment pursuant to section 312, based on recommenda-
18 tions by the State Health Coordinating Council.'

19 Further amend the bill in section 20, in that
20 part designated "§319." in the 5th line (page 13,
21 line 4 in L.D.) by striking out the following:
22 "state agency person" and inserting in its place the
23 following: 'state agency or other 3rd party payor'

24 Further amend the bill by renumbering the sec-
25 tions to read consecutively.

26 STATEMENT OF FACT

27 This amendment makes the following changes to the
28 original bill:

29 1. Deletes the provisions which would have re-
30 quired a certificate of need for all purchases of ma-
31 jor medical equipment, regardless of location, e.g.
32 in a physician's office;

33 2. Amends the language regarding the depart-
34 ment's authority to group applications for certifi-

