

MAINE STATE LEGISLATURE

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(EMERGENCY)
SECOND SPECIAL SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1930

H.P. 1419 House of Representatives, November 19, 1987
Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 26.
Reference to the Committee on Human Resources suggested
and ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative THISTLE of Dover-Foxcroft.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Amend Certain Powers of Hospital
2 Administrative District No. 4.
3

4 Emergency preamble. Whereas, Acts of the Legis-
5 lature do not become effective until 90 days after
6 adjournment unless enacted as emergencies; and

7 Whereas, Hospital Administrative District No. 4
8 was created by law to establish and operate a hospi-
9 tal within a certain geographic area of this State
10 and any amendment to the charter of that hospital
11 district must be made by an Act of the Legislature;
12 and

13 Whereas, to continue a high quality of health
14 service to district residents, this charter must be

1 amended to allow Hospital Administrative District No.
2 4 to enter into joint health care ventures with medi-
3 cal professionals; and

4 Whereas, such authorization will give needed
5 flexibility to the district to maintain the highest
6 quality of service at a reasonable cost; and

7 Whereas, in the judgment of the Legislature,
8 these facts create an emergency within the meaning of
9 the Constitution of Maine and require the following
10 legislation as immediately necessary for the preser-
11 vation of the public peace, health and safety; now,
12 therefore,

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

15 **Sec. 1. P&SL 1973, c. 76, §1, as amended by P&SL**
16 **1983, c. 92, §1, is repealed and the following en-**
17 **acted in its place:**

18 Sec. 1. Incorporation; purposes. The inhabi-
19 tants of the territory within the Towns of Monson,
20 Abbot, Parkman, Willimantic, Guilford, Sangerville,
21 Dover-Foxcroft, Sebec and Atkinson and the Plantation
22 of Barnard all in the County of Piscataquis, the Town
23 of Cambridge in the County of Somerset, and the Towns
24 of Dexter and Bradford in the County of Penobscot, or
25 any combination of the towns and plantations, are
26 constituted and confirmed a body politic and corpo-
27 rate to be known as "Hospital Administrative District
28 No. 4" in order to provide for the health, welfare
29 and public benefit of the inhabitants of the dis-
30 trict. The hospital district shall acquire or con-
31 struct, extend and improve a regional general hospi-
32 tal system, including, but not limited to, acute care
33 facilities, extended care facilities, intermediate
34 care facilities, freestanding satellite facilities
35 and facilities designed for utilization as offices by
36 physicians, to be located in a place or places within
37 the district for the care of the inhabitants of the
38 district and those persons outside the district who
39 may require medical care, for the purposes of main-
40 taining and operating a hospital system, including,
41 but not limited to, acute care facilities, extended

1 care facilities, freestanding satellite facilities
2 and facilities designed for utilization as offices by
3 physicians, and generally providing for the health
4 and medical needs of the inhabitants of the district.
5 Without limiting the generality of this section and
6 subject to pertinent provisions of the Maine Health
7 Care Finance Commission's laws and rules, the dis-
8 trict may also establish affiliated organizations,
9 either along or with others and within the district,
10 including medical centers, health care centers, nurs-
11 ing centers, laboratories, clinics and other medical,
12 surgical or dental facilities, facilities to provide
13 health-related shared services and such other organi-
14 zations or entities, on a profit or nonprofit basis,
15 as the district may deem necessary or desirable from
16 time to time, in order to provide, alone or with oth-
17 ers, for the health and medical needs of the inhabi-
18 tants of the district. The district may enter into
19 joint ventures with providers or professionals offer-
20 ing health care services within the district for the
21 purpose of offering health care services to persons
22 within the district.

23 In effectuating any of the purposes of this sec-
24 tion or any of the other purposes permitted to be en-
25 gaged in by the district, the district may, subject
26 to the provisions of this Act, as amended and suppl-
27 mented from time to time, acquire real or personal
28 property or any interest therein, on either a tempo-
29 rary or long-term basis by gift, purchase, transfer,
30 foreclosure, lease or otherwise, including rights or
31 easements; hold, manage, operate, sell, assign,
32 lease, encumber, mortgage or otherwise dispose of any
33 real or personal property or any interest therein, or
34 mortgage interest owned by it under its control, cus-
35 tody or in its possession and release or relinquish
36 any right, title, claim, lien, interest, easement or
37 demand however acquired; apply for and accept from
38 any source grants, loans, advances and contributions
39 of money, property, labor or other things of value,
40 to be held, used and applied for permitted purposes;
41 lease or rent any lands, buildings, structures, fa-
42 ilities or equipment from private parties to effec-
43 tuate the purposes permitted to be engaged in by the
44 district, including construction agreements, purchase
45 or acquisition agreements, partnership agreements,
46 including limited partnership agreements, joint

1 ventures, participation agreements or agreements with
2 leasing corporations or other financial
3 intermediaries.

4 **Sec. 2. P&SL 1973, c. 76, §2, 2nd ¶, 2nd sen-**
5 **tence, as amended by P&SL 1975, c. 47, §2, is re-**
6 **pealed and the following enacted in its place:**

7 They shall be responsible for providing, in whole or
8 in part, physical facilities for a hospital system
9 and, where necessary or desirable, physical facili-
10 ties for affiliated organizations within the dis-
11 trict, equipped and staffed to meet needed health
12 care services for the inhabitants of the district.

13 **Sec. 3. P&SL 1973, c. 76, §8, sub-§4 is repealed**
14 **and the following enacted in its place:**

15 4. Surplus. If any surplus remains at the end
16 of the year, it may be transferred to an account for
17 the purposes of paying the principal or interest on
18 any outstanding obligation or it may be set aside in
19 a surplus account for use by the district for any ac-
20 tivity in which the district may engage.

21 **Emergency clause.** In view of the emergency cited
22 in the preamble, this Act shall take effect when ap-
23 proved.

1

STATEMENT OF FACT

2 Hospital Administrative District No. 4 was cre-
3 ated in 1973 pursuant to private and special legisla-
4 tion. Similar to a school administrative district,
5 the district is made up of Dover-Foxcroft and several
6 surrounding towns and owns and operates the Mayo Re-
7 gional Hospital. The powers of the district are es-
8 tablished by the private and special legislation
9 which sets forth several limitations on the authority
10 of the district and its funding mechanisms. This
11 bill, which is nearly identical to that passed in the
12 First Regular Session of the 113th Legislature for
13 Hospital Administrative District No. 1, is intended
14 to amend and supplement certain of the powers of the
15 district as follows.

16 Section 1 of the bill recodifies the existing
17 powers of the district. In addition, this section
18 also clarifies the district's powers to hold and dis-
19 pose of certain types of property. This section also
20 permits the district to establish other affiliated
21 organizations subject to pertinent provisions of the
22 Maine Health Care Finance Commission's laws and
23 rules.

24 Section 2 makes a corresponding change to the
25 powers of the Board of Directors, authorizing affili-
26 ated organizations.

27 Section 3 clarifies that the district may utilize
28 its surplus, if any, for activities in which the dis-
29 trict may otherwise participate.

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