

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

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Legislative Document

No. 1002

H.P. 725

House of Representatives, April 3, 1989

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

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative CARROLL of Gray.

Cosponsored by Representative MANNING of Portland, Senator BUSTIN of Kennebec and Senator WEYMOUTH of Kennebec.

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STATE OF MAINE

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

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**An Act to Provide Reasonable Costs of Wages Paid to Employees of  
Boarding Care Facilities.**

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(EMERGENCY)



1           **Emergency preamble.** Whereas, Acts of the Legislature do not  
2 become effective until 90 days after adjournment unless enacted  
3 as emergencies; and

5           Whereas, certain boarding care facilities in particular  
6 parts of the State are experiencing great difficulty in  
7 attracting and retaining qualified personnel; and

9           Whereas, boarding care facilities are an integral part of  
10 the State's social service and health care delivery system; and

11           Whereas, in the judgment of the Legislature, these facts  
12 create an emergency within the meaning of the Constitution of  
13 Maine and require the following legislation as immediately  
14 necessary for the preservation of the public peace, health and  
15 safety; now, therefore,

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

19                   **22 MRSA §7907, sub-§3** is enacted to read:

21                   3. Boarding care facilities with more than 6 beds. The  
22 department shall, after consultation with providers of boarding  
23 care, and pursuant to the Maine Administrative Procedure Act,  
24 Title 5, chapter 375, adopt rules allowing boarding care  
25 facilities with more than 6 beds that are experiencing  
26 difficulties in recruiting and retaining staff, to receive  
27 adjustments to the rate paid for routine services and the  
28 administrative allowance. These adjustments may result in an  
29 increase to the facility's existing routine service cost  
30 limitation and administrative allowance.

31           **Emergency clause.** In view of the emergency cited in the  
32 preamble, this Act shall take effect when approved.

34  
35  
36  
37                                   **STATEMENT OF FACT**

38           The current reimbursement system for boarding care  
39 facilities imposes limitations on the rates to be paid to  
40 facilities. This bill directs the Department of Human Services  
41 to adopt regulations permitting boarding care facilities  
42 experiencing retention and recruitment problems to request  
43 special adjustments in excess of the current routine service cost  
44 limitation and the administrative and management allowance.  
45