

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

1
3
5
7
9
11
13
15
17
19
21
23
25
27
29
31
33
35
37
39
41
43
45
47
49

STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 891,
L.D. 1235, Bill, "An Act to Require Licensure of Clinics"

Amend the amendment by striking out all of the 2nd paragraph
after the title (page 1, lines 22 to 28 in amendment) and
inserting in its place the following:

'Amend the bill in section 1 by striking out all of that
part designated "§1811." and inserting in its place the following:

'§1811. License required; definitions

No person, partnership, association or corporation, nor any
state, county or local governmental units, shall may establish,
conduct or maintain in the State any hospital, sanatorium,
convalescent home, rest home, nursing home, ambulatory surgical
facility or other institution for the hospitalization or nursing
care of human beings without first obtaining a license therefor.
Hospital, sanatorium, convalescent home, rest home, nursing home,
ambulatory surgical facility and other related institution,
within the meaning of this chapter, shall--~~mean~~ means any
institution, place, building or agency in which any accommodation
is maintained, furnished or offered for the hospitalization of
the sick or injured or care of any aged or infirm persons
requiring or receiving chronic or convalescent care. Nothing in
this chapter shall may apply to hotels or other similar places
that furnish only board and room, or either, to their guests or
to such homes for the aged or blind as may be subject to
licensing under any other law.' '

Further amend the amendment by striking out all of the 6th
paragraph after the title (page 1, lines 46 to 48 and page 2
lines 1 to 4 in amendment) and inserting in its place the
following:

'Further amend the bill in section 3 by striking out all of
that part designated "§1813." and inserting in its place the
following:

1
3 '§1813. Existing hospitals must obtain licenses

5 No person, partnership, association or corporation, nor any
7 state, county or local governmental units, may continue to
9 home ~~or,~~ nursing home or ambulatory surgical facility, nor open a
11 hospital, sanatorium, convalescent home, rest home ~~or,~~ nursing
home or ambulatory surgical facility unless such the operation
shall-have-been is approved and regularly licensed by the State.'

13 Further amend the amendment by striking out all of the 7th
15 and 8th paragraphs after the title (page 2, lines 6 to 20 in
17 amendment) and inserting in their place the following:

19 'Further amend the bill in section 4 by striking out all of
21 that part designated "§1815." and inserting in its place the
23 following:

25 '§1815. Fees

27 Each application for a license to operate a hospital,
29 convalescent home ~~or,~~ nursing home or ambulatory surgical
31 facility shall be accompanied by a nonrefundable fee of \$50--for
33 facilities--less--than--50--beds--in--size,--a--fee--of--\$100--for
35 facilities--51--to--100--beds--in--size,--and--a--fee--of--\$200--for
37 facilities--larger--than--100--beds--in--size \$10 for each bed
39 contained within the facility. Each application for a license to
41 operate an ambulatory surgical facility shall be accompanied by
43 the fee established by the department. The department shall
45 establish the fee for an ambulatory surgical facility, not to
47 exceed \$250, on the basis of a sliding scale representing size,
49 number of employees and scope of operations. No such fee shall be
51 refunded. All licenses issued shall be renewed annually upon
53 payment of a like fee. The state's State's share of all fees
55 received by the department under this chapter shall be deposited
57 in the General Fund. No license granted shall may be assignable
59 or transferable. State hospitals are not required to pay
61 licensing fees.'

63
65
67
69
71
73
75
77
79
81
83
85
87
89
91
93
95
97
99
101
103
105
107
109
111
113
115
117
119
121
123
125
127
129
131
133
135
137
139
141
143
145
147
149
151
153
155
157
159
161
163
165
167
169
171
173
175
177
179
181
183
185
187
189
191
193
195
197
199
201
203
205
207
209
211
213
215
217
219
221
223
225
227
229
231
233
235
237
239
241
243
245
247
249
251
253
255
257
259
261
263
265
267
269
271
273
275
277
279
281
283
285
287
289
291
293
295
297
299
301
303
305
307
309
311
313
315
317
319
321
323
325
327
329
331
333
335
337
339
341
343
345
347
349
351
353
355
357
359
361
363
365
367
369
371
373
375
377
379
381
383
385
387
389
391
393
395
397
399
401
403
405
407
409
411
413
415
417
419
421
423
425
427
429
431
433
435
437
439
441
443
445
447
449
451
453
455
457
459
461
463
465
467
469
471
473
475
477
479
481
483
485
487
489
491
493
495
497
499
501
503
505
507
509
511
513
515
517
519
521
523
525
527
529
531
533
535
537
539
541
543
545
547
549
551
553
555
557
559
561
563
565
567
569
571
573
575
577
579
581
583
585
587
589
591
593
595
597
599
601
603
605
607
609
611
613
615
617
619
621
623
625
627
629
631
633
635
637
639
641
643
645
647
649
651
653
655
657
659
661
663
665
667
669
671
673
675
677
679
681
683
685
687
689
691
693
695
697
699
701
703
705
707
709
711
713
715
717
719
721
723
725
727
729
731
733
735
737
739
741
743
745
747
749
751
753
755
757
759
761
763
765
767
769
771
773
775
777
779
781
783
785
787
789
791
793
795
797
799
801
803
805
807
809
811
813
815
817
819
821
823
825
827
829
831
833
835
837
839
841
843
845
847
849
851
853
855
857
859
861
863
865
867
869
871
873
875
877
879
881
883
885
887
889
891
893
895
897
899
901
903
905
907
909
911
913
915
917
919
921
923
925
927
929
931
933
935
937
939
941
943
945
947
949
951
953
955
957
959
961
963
965
967
969
971
973
975
977
979
981
983
985
987
989
991
993
995
997
999

STATEMENT OF FACT

This amendment is being presented on behalf of the Committee
on Bills in Second Reading to prevent a conflict by incorporating
changes made to the Maine Revised Statutes, Title 22, sections
1811, 1813 and 1815 in Public Law 1989, chapter 136.