

# MAINE STATE LEGISLATURE

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

HOUSE AMENDMENT "**B**" 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:

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'§1813. Existing hospitals must obtain licenses

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

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

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

19  
20 '§1815. Fees

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

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41 STATEMENT OF FACT

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43 This amendment incorporates all of the changes made in House  
44 Amendment "A" to Committee Amendment "A" except that it clarifies  
45 the licensing fee applicable to ambulatory surgical facilities.