

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1237

H.P. 893

House of Representatives, April 19, 1989

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

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

EDWIN H. PERT, Clerk

Presented by Representative RYDELL of Brunswick.

Cosponsored by Senator GILL of Cumberland, Representative DORE of Auburn and Senator BRANNIGAN of Cumberland.

STATE OF MAINE

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

An Act to Provide Support for Community-based Residential Hospice Services.



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

3 Sec. 1. 22 MRSA §1708-A is enacted to read:

5 §1708-A. Community-based hospice services

7 1. Definitions. As used in this section, unless the
8 context otherwise indicates, the following terms have the
9 following meanings.

11 A. "Hospice program" means a network of palliative and
12 supportive services which provides physical, psychological,
13 social and spiritual care for persons with terminal illness
14 and for their families, and which are provided by public,
15 private or nonprofit organizations or subdivisions of such
16 organizations.

17 B. "Inpatient hospice services" means services provided to
18 the terminally ill individual and family as a unit in an
19 inpatient setting, employing an interdisciplinary team to
20 assist in providing palliative and supportive care to meet
21 the special needs arising out of the physical, emotional,
22 spiritual, social and economic stresses which are
23 experienced during the final stages of illness and during
24 dying and bereavement. This care is available 24 hours a
25 day, 7 days a week.

26 2. Authorization for grants. The department may make
27 grants to community-based hospice organizations for the purposes
28 of providing inpatient hospice services. Grants shall be made
29 according to rules adopted by the department. The department
30 shall seek the advice of a statewide organization composed of
31 community-based hospice organizations regarding the distribution
32 of grants before any grants are awarded.

33 3. Reimbursement. The department shall adopt rules
34 according to Title 5, chapter 375, governing the rate at which
35 the department shall reimburse for inpatient hospice services.
36 The department may require that a provider of hospice services
37 actively seek certification as a Medicare provider in order to
38 receive reimbursement under this section.

39 Before determining the rate of reimbursement for inpatient
40 hospice services, the department shall consult with a statewide
41 organization composed of community-based hospice organizations
42 which provide services through a structured network of trained
43 volunteers including members of the clergy, home health providers
44 and counselors working in cooperation with the patient's primary
45 physician.

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Sec. 2. 22 MRSA §7801, sub-§1, as amended by PL 1987, c. 389, §§2 to 4, is further amended to read:

1. License required. Except as provided in subsections 3 and 5, no person, firm, corporation or association may operate any of the following without having, subject to this subtitle and to the rules promulgated by the department under this subtitle, a written license therefor from the department:

- A. A boarding care facility;
- B. A drug treatment center;
- C. A children's home;
- D. A child placing agency;
- E. A day care facility;
- F. A nursery school; or
- G. An adult day care program.

Sec. 3. 22 MRSA §7801, sub-§5 is enacted to read:

5. Inpatient setting providing inpatient hospice services. An inpatient setting providing inpatient hospice services to terminally ill individuals, as defined in section 1708-A, is not required to obtain a license under subsection 1.

Sec. 4. 22 MRSA §7802, sub-§1-B is enacted to read:

1-B. Facility providing inpatient hospice services. The department may issue a license to a facility providing inpatient hospice services and which is not otherwise required to be licensed under subsection 1.

Sec. 5. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1989-90	1990-91
HUMAN SERVICES, DEPARTMENT OF		
Medical Care - Payments to Providers		
All Other	\$100,832	\$321,215

1 Provides funds to establish a
2 total of 19 beds during the
3 biennium for inpatient
4 hospice services. These beds
5 shall be phased in over the
6 biennium beginning with 5
7 beds January 1, 1990; 9
8 additional beds July 1, 1990;
9 and 5 additional beds January
10 1, 1991.

11 **Sec. 6. Allocation.** The following funds are allocated from
12 Federal Expenditure funds to carry out the purposes of this Act.

14 **1990-91**

15 **HUMAN SERVICES, DEPARTMENT OF**

16 **Medical Care - Payments to Providers**

17 All Other \$166,343

18 Allocates federal matching funds for
19 inpatient hospice services.

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STATEMENT OF FACT

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23 Hospice programs provide care for terminally ill individuals
24 in the last stages of life and their families. Although care is
25 intensive, hospice care is less expensive to provide than that
26 provided in an acute care setting. This bill would provide
27 funding for inpatient hospice services in several locations in
28 the State and would encourage the development of
29 Medicare-certified hospice services.

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