

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 481

H.P. 351

House of Representatives, February 8, 1991

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

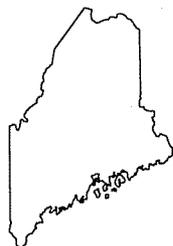
Presented by Representative MELENDY of Rockland.

Cosponsored by Senator GAUVREAU of Androscoggin, Representative MANNING of Portland and Senator GILL of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Improve Community Services to People with Mental Illness.



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

2
3 **Sec. 1. 22 MRSA §316-A, first ¶,** as enacted by PL 1981, c. 705,
4 Pt. V, §36, is amended to read:

6 Except as otherwise specifically provided, nothing in this
7 Act--shall chapter may be construed to preempt, replace or
8 otherwise negate the requirements of any other laws or
9 regulations governing health care facilities. The requirements
10 of this Act--shall chapter do not apply with respect to:

12 **Sec. 2. 22 MRSA §316-A, sub-§1, ¶B,** as enacted by PL 1981, c.
13 705, Pt. V, §36, is amended to read:

14 B. For which any construction, modification or other change
15 subject to this Act chapter has been reviewed and has
16 received approval pursuant to the United States Social
17 Security Act, Section 1122, from appropriate agencies prior
18 to the effective date of this Act;

20 **Sec. 3. 22 MRSA §316-A, sub-§2,** as amended by PL 1983, c. 200,
21 §1, is further amended to read:

24 **2. Activities; acquisitions.** Activities or acquisitions by
25 or on behalf of a health maintenance organization or a health
26 care facility controlled, directly or indirectly, by a health
27 maintenance organization or combination of health maintenance
28 organizations to the extent mandated by the National Health
29 Planning and Resources Development Act of 1974, as amended and
30 its accompanying regulations; and

32 **Sec. 4. 22 MRSA §316-A, sub-§3,** as amended by PL 1983, c. 200,
33 §2, is further amended to read:

34 **3. Home health care services.** Home health care services
35 offered by a home health care provider prior to 90 days after
36 adjournment of the Second Regular Session of the 110th
37 Legislature; and

40 **Sec. 5. 22 MRSA §316-A, sub-5** is enacted to read:

42 **5. Mental health services.** Hospital projects that develop
43 or expand services for people with a primary diagnosis of mental
44 illness or psychiatric disorder if first preference for the
45 services is given to patients who are admitted involuntarily
46 under Title 34-B, section 3863 or 3864.

48 **Sec. 6. 22 MRSA §396-D, sub-§9, ¶I** is enacted to read.

50 I. In determining payment year financial requirements, the
51 commission shall include an adjustment for hospital projects
52 that develop or expand services for people with a primary

2 diagnosis of mental illness or psychiatric disorder if first
3 preference for the services is given to patients who are
4 admitted involuntarily under Title 34-B, section 3863 or
5 3864.

6
7
8 **STATEMENT OF FACT**

9
10 The bill exempts certain mental health projects from the
11 certificate of need process and requires the Maine Health Care
12 Finance Commission to make adjustments to a hospital's financial
requirements if such projects are undertaken. The bill also
makes technical changes to references in the statutes.