

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 565

H.P. 391

House of Representatives, February 12, 1991

Submitted by the Department of Mental Health and Mental Retardation pursuant to Joint Rule 24.

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 PENDLETON of Scarborough.

Cosponsored by Senator GILL of Cumberland, Representative BOUTILIER of Lewiston and Senator BALDACCI of Penobscot.

STATE OF MAINE

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

**An Act to Clarify the Licensing Status of Acute Care Units at State
Mental Health Institutes.**



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

2
4 22 MRSA §1813, as repealed and replaced by PL 1989, c. 875,
Pt. E, §34 and c. 878, Pt. A, §59, is repealed and the following
enacted in its place:

6 **§1813. Existing hospitals must obtain licenses**

8
10 A person, partnership, association or corporation, or any
12 state, county or local governmental units, may not continue to
14 operate an existing hospital, sanatorium, convalescent home, rest
16 home, nursing home or ambulatory surgical facility, or open a
18 hospital, sanatorium, convalescent home, rest home, nursing home
20 or ambulatory surgical facility unless the operation is approved
22 and regularly licensed by the State. Notwithstanding any other
24 provision of this Title, state-operated mental health hospitals
subject to licensure have until July 1, 1991 to achieve
compliance with hospital licensure rules, and any current
conditional license may be extended until July 1, 1991. State
licensure survey teams shall monitor progress towards
compliance. Notwithstanding any other provision of this Title,
the licensure of state-operated mental health institutes is
limited to the acute care units.

26 **STATEMENT OF FACT**

28 The purpose of this bill is to clarify that the Department
30 of Human Services licensing provision for state-operated mental
health institutes applies only to acute care units of state
32 mental health institutes. This bill also resolves a conflict
created in the Second Regular Session of the 114th Legislature by
34 incorporating language from both Public Law 1989, chapter 875 and
Public Law 1989, chapter 878.