

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

SECOND REGULAR SESSION-1992

Legislative Document

No. 2387

H.P. 1706

House of Representatives, February 27, 1992

Reported by Representative MANNING for the Primary Care Residency Commission pursuant to Public Law 1991, chapter 545.

Reference to the Joint Standing Committee on Human Resources suggested and printing ordered under Joint Rule 18.

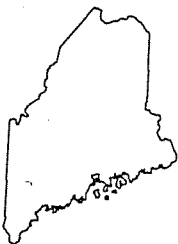
A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

STATE OF MAINE

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

**An Act to Encourage Expansion of Certain Residency Programs Related
to Primary Care Physicians.**



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

2 **Sec. 1.** 5 MRSA §12004-I, sub-§29-A, as enacted by PL 1991, c.
4 545, §1, is repealed.

6 **Sec. 2.** 10 MRSA c. 110, sub-c. X, as enacted by PL 1991, c. 545,
8 §2, is repealed.

10 **Sec. 3.** 20-A MRSA §11806, sub-§2, ¶F, as amended by PL 1985,
12 c. 455, §§8 and 11, is further amended to read:

12 F. The development of incentives to practice in underserved
14 areas; and

16 **Sec. 4.** 20-A MRSA §11806, sub-§2, ¶G, as enacted by PL 1981,
18 c. 693, §§5 and 8, is amended to read:

20 G. Recommendations for utilizing contract funds to provide
22 assistance to Maine residency programs; and

24 **Sec. 5.** 20-A MRSA §11806, sub-§2, ¶H is enacted to read:

26 H. The projected number and location of resident spaces
28 needed in family practice, internal medicine, pediatrics and
30 obstetrics and gynecology residency programs.

32 **Sec. 6.** 20-A MRSA §11807, sub-§1, as amended by PL 1989, c.
34 698, §23 and affected by §76, is further amended to read:

36 1. **Committee.** The Advisory Committee on Medical Education
38 shall assist the chief executive officer in developing the plan
40 and shall advise the Maine Health Care Finance Commission
42 concerning the approval of additional primary care resident
44 spaces in accordance with Title 22, section 396-R.

46 **Sec. 7.** 20-A MRSA §11811 is enacted to read:

48 §11811. Curriculum improvements

50 The authority may allocate a portion of the fund established
in section 11808 to support improvements in the curricula of
primary care residency programs offered in this State. In
accordance with criteria established by rules adopted pursuant to
section 11810, the chief executive officer may disburse funds
allocated under this section to hospitals that provide primary
care residency programs in the amounts necessary to make
improvements in the curricula offered in those programs.

Sec. 8. 22 MRSA §396-E, sub-§1, ¶C, as amended by PL 1991, c.
545, §3, is further amended to read:

2 C. ~~Except as provided in paragraph I, gifts~~ Gifts and
4 grants from federal, state and local governmental agencies
are considered available resources.

6 **Sec. 9. 22 MRSA §396-E, sub-§1, ¶1**, as enacted by PL 1991, c.
8 545, §4, is repealed.

10 **Sec. 10. 22 MRSA §396-F, sub-§3**, as enacted by PL 1983, c.
12 579, §10, is amended to read:

14 **3. Differentials.** The commission shall provide for revenue
16 deductions which that reflect differentials established and
18 approved pursuant to section 396-G. In calculating revenue
20 deductions to reflect differentials under the Medicare program,
the commission shall exclude from its determination any amounts
that the commission finds have been paid by the Medicare program
for the following activities, to the extent that the activities
have been approved under section 396-R, unless any costs of the
activities have been added to a hospital's financial requirements:

22 A. The expansion of a family practice residency program
24 after June 30, 1992; and

26 B. The provision of spaces in a residency program in
28 internal medicine, pediatrics or obstetrics and gynecology,
30 in any given year, for the number of first-year residents
that is greater than the number of first-year residents in
that program at the same hospital prior to June 30, 1992.

32 **Sec. 11. 22 MRSA §396-R** is enacted to read:

34 **§396-R. Approval of primary care resident spaces**

36 The commission shall approve the addition of a primary care
38 resident space by a hospital if the commission finds that the
40 additional space is consistent with the plan developed by the
Finance Authority of Maine under Title 20-A, section 11806 or, in
the absence of any such plan, with the orderly development of
primary care training and recruitment programs in the State.

42 **STATEMENT OF FACT**

44 In order to promote training of additional primary care
46 physicians, this bill excludes certain Medicare payments for
48 primary care physician training from the ordinary calculations
50 made by the Maine Health Care Finance Commission to determine
hospital revenue limits. This special regulatory treatment
applies only to residency spaces explicitly approved by the

2 commission with the advice of the Finance Authority of Maine's
3 Advisory Committee on Medical Education. It authorizes the
4 authority to apply available medical education funds to improve
5 curricula in primary care residency programs. The bill also
6 repeals recently enacted provisions for administering a program
for which funds are not available.