

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

R. of S.

L.D. 697

(Filing No. S-180)

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44
46
48

STATE OF MAINE
SENATE
116TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A " to S.P. 226, L.D. 697, Bill, "An Act to Remove Home Health Care Agencies from the Maine Certificate of Need Act of 1978 Requirement for Initial Licensure"

Amend the bill by striking out the title and substituting the following:

'An Act to Amend Certificate of Need Provisions Regarding Home Health Care Services'

Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 22 MRSA §304-A, sub-§8, as enacted by PL 1981, c. 705, Pt. V, §16, is amended to read:

8. New health care facilities. The construction, development or other establishment of a new health care facility; and, subject to the following limitations.

A. Except as provided in paragraph B, the department shall review certificate of need applications, including business plans, for home health care providers only to determine whether the provider is fit, willing and able to provide the proposed services at the proper standard of care as provided in section 309, subsection 1, paragraph A. The department shall establish a reduced filing fee for home health care providers whose applications are reviewed under this paragraph.

B. The department shall review an application for a home health care provider to determine its compliance with all the requirements of section 309, subsection 1 if the application involves:

COMMITTEE AMENDMENT "A " to S.P. 226, L.D. 697

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30

- (1) A business plan that forecasts 3rd-year operating costs exceeding \$500,000; or
- (2) A transfer of ownership of an existing home health care provider; and

FISCAL NOTE

The Department of Human Services will experience minor savings in the certificate of need process as a result of providing a reduced level of review for home health care providers. The department will also incur some minor additional costs to establish the reduced filing fee. These costs can be absorbed within the department's existing budgeted resources.'

STATEMENT OF FACT

This amendment replaces the bill and provides for a reduced level of review and a reduced application fee for most certificate of need applications for home health care providers. The Department of Human Services shall review these applications only to determine whether the applicant is fit, willing and able to provide the proposed services at the proper standard of care. Home health care providers' applications are subject to full certificate of need review only if they involve 3rd-year operating costs of over \$500,000 or, if ownership of an existing agency is being transferred.

Reported by Senator Paradis for the Committee on Human Resources.
Reproduced and Distributed Pursuant to Senate Rule 12.
(5/20/93) (Filing No. S-180)