

MAINE STATE LEGISLATURE

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DATE: 3/25/94

(Filing No. H-946)

HUMAN RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
SECOND REGULAR SESSION.

COMMITTEE AMENDMENT "A" to H.P. 1355, L.D. 1821, Bill, "An Act to Develop Standards for the Licensure of Hospice Programs"

Amend the bill in section 1 in that part designated "§8621." by inserting after subsection 18 the following:

'19. Volunteer hospice program. "Volunteer hospice program" means a hospice program that provides all direct patient care at no charge.'

Further amend the bill in section 1 in that part designated "§8622." in subsection 7 by adding at the end the following: 'All fees collected under this subsection must be deposited into the General Fund.'

Further amend the bill in section 1 in that part designated "§8622." in subsection 9 in the first line (page 4, line 36 in L.D.) by inserting after the following: "all" the following: 'appropriate'

Further amend the bill in section 1 in that part designated "§8622." by inserting after subsection 9 the following:

'10. Minimum survey requirement. Notwithstanding subsection 4, a hospice program is not eligible for licensure or renewal of licensure unless the hospice program has had a Medicare survey or a state licensure survey within the previous 3 years.'

COMMITTEE AMENDMENT

Further amend the bill in section 1 in that part designated "~~§8623.~~" in the first paragraph in the first line (page 4, line 41 in L.D.) by striking out the following: "council" and inserting in its place the following: 'department'

Further amend the bill in section 1 in that part designated "~~§8631.~~" by striking out all of the first paragraph (page 8, lines 17 to 22 in L.D.) and inserting in its place the following:

'A volunteer hospice program must comply with this section and with all provisions of subchapter I that are relevant to a volunteer hospice program.'

Further amend the bill by inserting after section 2 the following:

Sec. 3. Exception. Notwithstanding the Maine Revised Statutes, Title 22, section 8622, subsection 5, the licensed nursing facility in the City of Auburn that offers inpatient hospice services under the name Clover Hospice is eligible for licensure as a hospice if:

1. The facility does not expand its inpatient hospice services;

2. The facility continues to meet nursing facility licensing rules; and

3. The facility meets all hospice licensing standards except the requirement that inpatient services be offset with a specified level of in-home services.

This section is repealed January 1, 1996.

Sec. 4. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1994-95

HUMAN SERVICES, DEPARTMENT OF

Medical Care - Administration

All Other \$5,200

Provides funds to support the costs associated with licensing hospice programs.'

Further amend the bill by inserting at the end before the statement of fact the following:

FISCAL NOTE

1994-95

APPROPRIATIONS/ALLOCATIONS

General Fund \$5,200

REVENUES

General Fund \$10,400

This bill provides a General Fund appropriation of \$5,200 in fiscal year 1994-95 to the Department of Human Services to support the additional costs to issue, survey and enforce hospice licenses. An application fee for the 2-year license will increase General Fund undedicated revenue by approximately \$10,400 in fiscal year 1994-95.

STATEMENT OF FACT

This amendment does the following.

1. It clarifies the treatment under licensing rules of volunteer hospice programs.

2. The bill grants "deemed" licensure to any hospice that meets Medicare hospice rules. The amendment allows "deemed" status only if a facility has had a Medicare survey within the previous 3 years.

3. The amendment clarifies that the Department of Human Services, not the Maine Hospice Council, will adopt the licensure rules.

4. The amendment grants to Clover Hospice in Auburn an exception until January 1, 1996 of the so-called Medicare "80/20" rule, which requires inpatient hospice programs to be associated with certain levels of in-home hospice services. At present, Clover Hospice does not meet the "80/20" rule.

5. The amendment adds an appropriation section and a fiscal note to the bill.