

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 493

S.P. 184

Received by the Secretary, February 7, 1995

**An Act to Amend Certain Powers of Hospital Administrative District
No. 4.**

(EMERGENCY)

Referred to the Committee on Human Resources and ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator HALL of Piscataquis.
Cosponsored by Representatives: CROSS of Dover-Foxcroft, REED of Dexter, ROSEBUSH
of East Millinocket.

2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4
6 **Whereas,** Hospital Administrative District No. 4 was created
by law to provide health care services and any amendment to the
charter of the hospital district must be made by an Act of the
8 Legislature; and

10 **Whereas,** to continue to provide a high quality of health
service in the prevailing health care environment, the district's
12 charter must be amended to allow it to extend its services and
facilities to any persons and areas that it may competitively
14 serve; and

16 **Whereas,** such authorization will enable the district to
maintain a high quality of health service at a reasonable and
18 competitive cost in the market; and

20 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
22 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
24 safety; now, therefore,

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

28 **Sec. 1. P&SL 1973, c. 76, §1,** as repealed and replaced by P&SL
1987, c. 85, §1, is amended to read:

30 **Sec. 1. Incorporation; purposes.** The inhabitants of the
32 territory within the Towns of Monson, Abbot, Parkman,
Willimantic, Guilford, Sangerville, Dover-Foxcroft, Sebec and
34 Atkinson and the Plantation of Barnard all in the County of
Piscataquis, the Town of Cambridge in the County of Somerset, and
36 the Towns of Dexter and Bradford in the County of Penobscot, or
any combination of the towns and plantations, are constituted and
38 confirmed a body politic and corporate to be known as "Hospital
Administrative District No. 4" in order to provide for the
40 health, welfare and public benefit of the inhabitants of the
district and any persons outside the district who may seek or
42 require medical care. The hospital district shall acquire or
construct, extend and improve a regional general hospital system,
44 including, but not limited to, acute care facilities, extended
care facilities, intermediate care facilities, freestanding
46 satellite facilities and facilities designed for utilization as
offices by physicians, to be located in a place or places either
48 within the district or elsewhere for the care of the inhabitants
of the district and those persons outside the district who may
50 seek or require medical care, for the purposes of maintaining and
operating a hospital

2 system, including, but not limited to, acute care facilities,
3 extended care facilities, freestanding satellite facilities and
4 facilities designed for utilization as offices by physicians, and
5 generally providing for the health and medical needs of the
6 inhabitants of the district and any persons outside the district
7 who may seek or require medical care. Without limiting the
8 generality of this section and subject to pertinent provisions of
9 the Maine Health Care Finance Commission's laws and rules, the
10 district may also establish affiliated organizations, either
11 alone or with others and either within the district or elsewhere,
12 including medical centers, health care centers, nursing centers,
13 laboratories, clinics and other medical, surgical or dental
14 facilities, facilities to provide health-related shared services
15 and such other organizations or entities, on a profit or
16 nonprofit basis, as the district may deem necessary or desirable
17 from time to time, in order to provide, alone or with others, for
18 the health and medical needs of the inhabitants of the district
19 and any persons outside the district who may seek or require
20 medical care. The district may enter into joint ventures with
21 providers or professionals offering health care services either
22 within the district or elsewhere for the purpose of offering
23 health care services to persons either within the district or
24 elsewhere.

25 In effectuating any of the purposes of this section or any
26 of the other purposes permitted to be engaged in by the district,
27 the district may, subject to the provisions of this Act, as
28 amended and supplemented from time to time, acquire real or
29 personal property or any interest therein either within the
30 district or elsewhere, on either a temporary or long-term basis
31 by gift, purchase, transfer, foreclosure, lease or otherwise,
32 including rights or easements; hold, manage, operate, sell,
33 assign, lease, encumber, mortgage or otherwise dispose of any
34 real or personal property or any interest therein, or mortgage
35 interest owned by it under its control, custody or in its
36 possession and release or relinquish any right, title, claim,
37 lien, interest, easement or demand however acquired; apply for
38 and accept from any source grants, loans, advances and
39 contributions of money, property, labor or other things of value,
40 to be held, used and applied for permitted purposes; lease or
41 rent any lands, buildings, structures, facilities or equipment
42 from private parties to effectuate the purposes permitted to be
43 engaged in by the district, including construction agreements,
44 purchase or acquisition agreements, partnership agreements,
45 including limited partnership agreements, joint ventures,
46 participation agreements or agreements with leasing corporations
47 or other financial intermediaries.

48 **Sec. 2. P&SL 1973, c. 76, §2, 2nd sentence,** as repealed and
49 replaced by P&SL 1987, c. 85, §2, is amended to read:

2 They shall be responsible for providing, in whole or in part,
4 physical facilities for a hospital system and, where necessary or
6 desirable, physical facilities for affiliated organizations
8 either within the district or elsewhere, equipped and staffed to
meet needed health care services for the inhabitants of the
district and any persons outside the district who may seek or
require medical care.

10 **Sec. 3. P&SL 1973, c. 76, §13, last ¶** is amended to read:

12 If this Act takes effect by the acceptance as outlined in
14 the preceding paragraph and one or more of the other towns or
16 plantations fails to accept the same, the district shall not
include the territory and inhabitants of such other town or
plantation and such town or plantation shall have no right to be
18 represented by a director on the board ~~nor be entitled to the
benefits hereof~~. It shall, however, have all the rights as
20 though it had originally accepted this Act, if it does so accept
this Act before January 1, 1975.

22 **Emergency clause.** In view of the emergency cited in the
24 preamble, this Act takes effect when approved.

26 **STATEMENT OF FACT**

28 This bill authorizes Hospital Administrative District No. 4
30 to extend its services and facilities to any persons and areas
that it may competitively serve.