

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 971

H.P. 714

House of Representatives, March 23, 1995

**An Act to Require Special Care Program Disclosure by Entities
Providing Alzheimer Care.**

Reference to the Committee on Human Resources suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative LIBBY of Kennebunk.

Cosponsored by Representatives: BARTH of Bethel, DONNELLY of Presque Isle, JOYNER of Hollis, TRUE of Fryeburg, Senator: STEVENS of Androscoggin.

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

4 **Sec. 1. 22 MRSA c. 1678** is enacted to read:

6 **CHAPTER 1678**
ALZHEIMER SPECIAL CARE PROGRAMS

8 **§8551. Definitions**

10 As used in this chapter, unless the context otherwise
12 indicates, the following terms have the following meanings.

14 1. Alzheimer special care program. "Alzheimer special care
16 program" means a special program or secure, locked or segregated
18 unit within one of the following entities for individuals with a
20 diagnosis of probable Alzheimer's disease or a related disorder
to prevent or limit access by an individual outside the
designated or separated program or area and that advertises,
markets or otherwise promotes that entity as providing
specialized Alzheimer or dementia care services:

22 A. A residential care facility subject to licensure
24 pursuant to chapter 1663 or 1665;

26 B. A skilled nursing or intermediate care facility or unit
subject to licensure pursuant to chapter 405; or

28 C. A hospice program subject to licensure pursuant to
30 chapter 1681.

32 **§8552. Alzheimer special care program disclosure**

34 1. Disclosure required. An entity that offers to provide
36 or provides care for individuals with Alzheimer's disease or a
38 related disorder through an Alzheimer special care program shall
40 disclose the form of care or treatment it provides that
42 distinguishes it as being especially applicable to or suitable
for those individuals. The disclosure must be made to the
department and to any individual seeking placement within an
Alzheimer special care program. The department shall examine and
verify the accuracy of all disclosures as part of an entity's
license renewal procedure.

44 2. Disclosure content. The disclosure required under
46 subsection 1 must explain the additional care provided in the
Alzheimer special care program and include at a minimum:

48 A. The program's written statement of its philosophy and
50 mission that reflect the needs of individuals afflicted with
dementia;

- 2 B. The process and criteria for placement in, or transfer
4 or discharge from the program;
- 6 C. The process used for the assessment and establishment of
8 a plan of care and its implementation, including the methods
10 by which the plan of care evolves and remains responsive to
12 changes in an individual's condition;
- 14 D. The program's staff training and continuing education
16 practices;
- 18 E. Documentation of the program's physical environment and
20 design features appropriate to support the functioning of
22 cognitively impaired adult individuals;
- 24 F. The frequency and types of individuals' activities
26 provided by the program;
- 28 G. A description of family involvement and the availability
30 of family support programs; and
- 32 H. An itemization of the costs of care and any additional
34 fees.

STATEMENT OF FACT

28 This bill requires an entity offering to provide an
30 Alzheimer special care program, such as a nursing home, a
32 boarding care facility, an adult day care facility or a hospice
34 program, to disclose to the Department of Human Services a
 special form of care or treatment offered in order to protect
 consumers of those programs.