

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

SECOND REGULAR SESSION-1996

Legislative Document

No. 1673

S.P. 638

In Senate, January 9, 1996

**An Act to Ensure That Charity Care Guidelines That Apply to Hospitals
Also Apply to Their Subsidiaries.**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.
Reference to the Committee on Human Resources suggested and ordered printed.

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

MAY M. ROSS
Secretary of the Senate

Presented by Senator MILLS of Somerset.

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

4 **Sec. 1. 22 MRSA §395-B**, as enacted by PL 1995, c. 368, Pt. W,
5 §4, is amended to read:

6 **§395-B. Charity care**

7 **1. Charity care guidelines.** The department shall adopt
8 reasonable guidelines for policies to be adopted and implemented
9 by hospitals and affiliated interests with respect to the
10 provision of health care services to patients who are determined
11 unable to pay for the services received. The department shall
12 adopt income guidelines that are consistent with the guidelines
13 applicable to the Hill-Burton Program established under 42 United
14 States Code, Section 291, et seq. (1988). The guidelines and
15 policies must include the requirement that upon admission the
16 rendering of services or, in cases of emergency admission
17 services, before discharge of a patient, hospitals and affiliated
18 interests must investigate the coverage of the patient by any
19 insurance or state or federal programs of medical assistance.
20 The guidelines also must include provisions for notice to the
21 public and the opportunity for a fair hearing for questions
22 relating to eligibility for charity care.

23 **2. Charity care requirement.** If the hospital's or
24 affiliated interest's services to the patients patient are not
25 covered by insurance or a medical assistance program and the
26 patient meets the financial guidelines established by the
27 organization, the services must be provided as charitable care.
28 This section does not prevent a hospital or an affiliated
29 interest from establishing a policy of charitable care that
30 includes services not included in this subsection if permitted by
31 the organization's guidelines. Hospital Health care services
32 provided at a hospital or affiliated interest to a person who
33 meets the financial eligibility guidelines adopted pursuant to
34 this section may not be billed to the patient or to a
35 municipality.

36 **3. Affiliated interest.** For the purposes of this section,
37 "affiliated interest" has the same meaning as in section 396-L,
38 subsection 1.

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43 **STATEMENT OF FACT**

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45 **46** This bill provides that an affiliate of a hospital is
46 required to follow the same charity care guidelines that a
47 hospital must follow. The bill also requires the Department of
48 Human Services to include provisions for public notice and a fair
49 hearing for questions relating to eligibility for charity care.
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2 Health care services provided at a hospital or affiliated
interest to a person who meets the charity care guidelines may
4 not be billed to the patient or to a municipality.