

MAINE STATE LEGISLATURE

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DATE: March 25, 1996

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HUMAN RESOURCES

Reported by: Senator PENDEXTER of Cumberland for the Committee.

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**STATE OF MAINE
SENATE
117TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A " to S.P. 647, L.D. 1689, "Resolve, Directing the Department of Human Services to Take Steps to Reduce the Regulation of Nurses Providing Care to Nursing Home Residents"

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

'Resolve, That the Department of Human Services Convene a Task Force on Paperwork Reduction in Nursing Facilities'

Further amend the resolve by striking out everything after the title and before the statement of fact and inserting in its place the following:

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

Whereas, nursing facility staff believe that the amount of paperwork and forms required for patient assessment and care in nursing facilities in this State detracts from the capacity of nurses to care for residents; and

Whereas, the time available for direct patient care in nursing facilities may be increased by coordinating and decreasing the amount of paperwork required of nurses on the Minimum Data Set Plus case mix form, the Medical Eligibility Determination '94 form and any other forms required by state and federal agencies and insurance carriers for patient assessment, care and reimbursement; and

COMMITTEE AMENDMENT

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Whereas, coordination of these forms and paperwork is desirable for the benefit of residents of the nursing facilities of this State; and

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

Sec. 1. Task force. Resolved: That the Department of Human Services, referred to in this resolve as the "department," shall convene a task force on paperwork reduction in nursing facilities for the purpose of studying the problem of paperwork required for patient assessment, care and reimbursement and the survey process, referred to in this resolve as the "task force." The task force shall study the needs of the patient and family, the nursing and professional staff of the nursing facility, the department and any other interested parties and shall search for methods of meeting the legitimate needs of all parties in the most efficient, efficacious and collaborative manner possible; and be it further

Sec. 2. Membership. Resolved: That, by April 1, 1996, the Commissioner of Human Services shall name to the task force a representative of the long-term care ombudsman program and 5 representatives of the department, representing the Bureau of Elder and Adult Services, the Division of Benefits Management, the Division of Licensure and Certification, the Division of Financial Services and the Muskie Institute Center for Health Policy.

By April 1, 1996, the President of the Senate and the Speaker of the House shall each appoint 3 members of the task force from nominations submitted to them by individuals, associations and nursing facilities. The 3 members must be nurses employed and providing care in long-term care nursing facilities or nurses who represent those nurses. A member who is appointed by the President of the Senate or the Speaker of the House who qualifies at the time of appointment is not disqualified if during the time of service on the task force the member changes employment or status and that member may continue to serve for the duration of the task force. These appointed nurses shall name another nurse, similarly qualified, to serve as a full member of the task force and as chair.

Except the chair, any task force member who is unable to attend a task force meeting may be represented at the meeting by a person named by that member; and be it further

COMMITTEE AMENDMENT

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2 and any other interested party and to search for methods of
meeting the legitimate needs of all parties in the most efficient
and efficacious manner possible. By April 1, 1996, the
4 Commissioner of Human Services must name the members of the task
force. The task force must meet by April 15, 1996 and as
6 necessary to accomplish its duties. All meetings of the task
force are public meetings within the meaning of the Maine Revised
8 Statutes, Title 1, chapter 13, subchapter I. Information that is
confidential to a resident or nursing facility remains
10 confidential. At the beginning of its study, the task force
shall convene at least one meeting at which interested parties
12 and the general public are invited to address the task force.
The task force may request staffing assistance from the
14 Department of Human Services. Task force members serve without
compensation or reimbursement of any type. The task force must
16 submit to the Joint Standing Committee on Human Resources an
interim report by July 15, 1996 and a final report by November
18 15, 1996. The final report must contain suggestions for changes
in rules and the necessary legislation to accomplish the
20 recommendations of the task force. The amendment also adds a
fiscal note.
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