

MAINE STATE LEGISLATURE

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RES

L.D. 1132

DATE: 5-9-77

(Filing No. H-426)

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BANKING AND INSURANCE

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H.P. 827, L.D. 1132, Bill, "An Act to Amend the Continuing Care Retirement Community Laws to Repeal Certain Exemptions and Place Other Requirements on Providers and Developers of Continuing Care Retirement Communities"

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

'An Act to Amend the Continuing Care Retirement Community Laws'

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 24-A MRSA §6203, sub-§6, as enacted by PL 1995, c. 452, §20, is amended to read:

6. Provision of services to nonresidents. The final certificate of authority must state whether any skilled nursing facility that is part of a life-care community or a continuing care retirement community may provide services to persons who have not been bona fide residents of the community prior to admission to the skilled nursing facility. If the life-care community or the continuing care retirement community is--a nonprofit--corporation--that--is--a--Section--501--(c)--(3)--organization under--the--federal--Internal--Revenue--Code--and--that admits to its skilled nursing facility only persons who have been bona fide residents of the community prior to admission to the skilled nursing facility, then the community is exempt from the provisions of Title 22, chapter 103, but is subject to the licensing provisions of Title 22, chapter 405, and is entitled to only one skilled nursing facility bed for every 4 residential

COMMITTEE AMENDMENT

units in the community. However, ~~any~~ Any community se exempted
 2 ~~from~~ under Title 22, chapter 103 may admit nonresidents of the
 4 community to its skilled nursing facility only during the first 3
 6 years of operation. For purposes of this subsection, a "bona
 8 fide resident" means a person who has been a resident of the
 10 community for a period of not less than 180 consecutive days
 12 immediately preceding admission to the nursing facility or has
 14 been a resident of the community for less than 180 consecutive
 16 days but who has been medically admitted to the nursing facility
 resulting from an illness or accident that occurred subsequent to
 residence in the community. Any community se exempted ~~from~~ under
 Title 22, chapter 103 is not entitled to and may not seek any
 reimbursement or financial assistance under the Medicaid program
 from any state or federal agency and, as a consequence, that
 community must continue to provide nursing facility services to
 any person who has been admitted to the facility.'

18 Further amend the bill by inserting at the end before the
 20 summary the following:

22 **FISCAL NOTE**

24 This bill may increase the number of persons that may become
 26 eligible for Medicaid. The amount of the potential increase of
 future Medicaid costs can not be estimated at this time.'

28 **SUMMARY**

30 This amendment renames and replaces the bill. It removes
 32 the requirement that only a nonprofit continuing care retirement
 34 community is exempt from the requirements of the State's
 certificate of need laws in connection with the development and
 36 construction of a skilled nursing facility as part of the
 continuing care retirement community.