

# MAINE STATE LEGISLATURE

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RMS

L.D. 2039

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**HEALTH AND HUMAN SERVICES**

Reported by:

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**STATE OF MAINE  
SENATE  
119TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A " to S.P. 717, L.D. 2039, Bill, "An Act to Improve Access to Residential Care in Rural Maine"

Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting in its place the following:

**Sec. 1. 22 MRSA §3174-I, sub-§4** is enacted to read:

**4. Special circumstances.** A nursing facility located more than 30 miles from the nearest licensed assisted living facility may admit or continue to care for persons who are eligible for care under a licensed assisted living services program. Persons who may be provided care under this subsection must be provided information on available licensed assisted living and home care services prior to the beginning of such care and periodically thereafter. A nursing facility may provide care for up to 6 persons at any one time under this subsection. A nursing facility providing care for persons under this subsection shall comply with all applicable federal and state licensing requirements for those persons and the beds that they occupy. The commissioner shall adopt rules to implement this subsection, including reimbursement for care provided under this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

**Sec. 2. Report.** By April 1, 2000, the Department of Human Services shall report to the Joint Standing on Health and Human Services on its experience with the provision of care under the Maine Revised Statutes, Title 22, section 3174-I, subsection 4.

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**Sec. 3. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	<b>1999-00</b>	<b>2000-01</b>
<b>6 HUMAN SERVICES, DEPARTMENT OF</b>		
<b>8 Nursing Facilities</b>		
10 All Other	\$216,591	\$216,591

12 Provides funds to allow  
 14 nursing facilities more than  
 16 30 miles from licensed living  
 facilities to provide  
 assisted living services.'

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

**FISCAL NOTE**

	<b>1999-00</b>	<b>2000-01</b>
<b>26 APPROPRIATIONS/ALLOCATIONS</b>		
28 General Fund	\$216,591	\$216,591

30 This bill includes General Fund appropriations of \$216,591  
 32 in each of fiscal years 1999-00 and 2000-01 for the Department of  
 34 Human Services to allow nursing facilities more than 30 miles  
 36 from licensed assisted living facilities to provide assisted  
 living services for up to 6 persons. The amounts are based on 4  
 nursing facilities participating with 12 consumers receiving care  
 at \$49.45 per day per person.

38 The additional costs associated with adopting rules and  
 40 reporting to the Legislature can be absorbed by the Department of  
 Human Services utilizing existing budgeted resources.'

**SUMMARY**

44 This amendment replaces the bill. It retains the emergency  
 46 nature of the bill and allows nursing facilities more than 30  
 48 miles from licensed assisted living facilities to provide

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2 assisted living level services for up to 6 persons. It requires  
3 compliance with federal and state licensing requirements. It  
4 requires the Department of Human Services to report on its  
5 experience providing care under this provision by April 1, 2000.  
6 It also adds a fiscal note to the bill.

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