

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1558

H.P. 1158

House of Representatives, March 13, 2001

**An Act to Amend the Licensing and Survey Requirements for
Residential Care Facilities and Congregate Housing Services Programs.**

Submitted by the Department of Human Services pursuant to Joint Rule 204.
Reference to the Committee on Health and Human Services suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative FULLER of Manchester.
Cosponsored by Representatives: LAVERRIERE-BOUCHER of Biddeford, NUTTING of
Oakland, SHIELDS of Auburn.

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

4 **Sec. 1. 22 MRSA §7802, sub-§1, ¶E**, as amended by PL 1995, c.
5 670, Pt. B, §6 and affected by Pt. D, §5, is repealed and the
6 following enacted in its place:

7 E. A 2-year full license may be issued by the department
8 for a residential care facility or a congregate housing
9 service program as long as it is in substantial compliance
10 with licensing rules and has no history of health or safety
11 violations.

12 **Sec. 2. 22 MRSA §7802, sub-§2, ¶D**, as amended by PL 1983, c.
13 602, §2, is further amended to read:

14 ~~D. Regardless of the term of the license or approval, the~~
15 The department shall ~~monitor~~ inspect for continued
16 compliance with applicable laws and rules ~~on-at-least-an~~
17 annual-basis prior to the expiration of the license or
18 approval.

19 **Sec. 4. 22 MRSA §7802, sub-§2, ¶E** is enacted to read:

20 E. Residential care facilities and congregate housing
21 services programs for which a license has been issued must
22 be periodically inspected for continued compliance with
23 applicable laws and rules under the rules to be established
24 by the department. Rules adopted pursuant to this section
25 are routine technical rules as defined in Title 5, chapter
26 375, subchapter II-A.

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29 **SUMMARY**

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33 This bill makes it possible for the Division of Licensing
34 and Certification of the Department of Human Services to extend
35 the licensing period up to 2 years for residential care
36 facilities and to allow flexibility with scheduling of surveys
37 instead of requiring annual surveys in all cases.
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