

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



120th MAINE LEGISLATURE

SECOND REGULAR SESSION-2002

Legislative Document

No. 1848

H.P. 1410

House of Representatives, December 7, 2001

An Act to Prohibit the Separation of a Husband and Wife Placed in State-funded Nursing Facilities.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 5, 2001. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative FOSTER of Gray.
Cosponsored by Senator SMALL of Sagadahoc and
Representatives: CARR of Lincoln, GOOLEY of Farmington, HAWES of Standish, JODREY of Bethel, LUNDEEN of Mars Hill, MICHAUD of Fort Kent, PINEAU of Jay.

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

4 **Sec. 1. 22 MRSA §7926** is enacted to read:

6 **§7926. Separation of married couples prohibited**

8 Except as otherwise provided, a long-term care facility that
10 receives public funds may not transfer or refuse to admit the
12 spouse of a resident or the spouse of a person who meets the
14 qualifications to be a resident, if that spouse also qualifies
16 for long-term care services offered by the facility, without the
18 consent of each spouse or spouse's guardian or legal
20 representative. If a long-term care facility can not admit the
22 spouse of a resident or the spouse of a person who meets the
24 qualifications to be a resident because it lacks a bed, the
26 facility shall ensure placement of both spouses in a single
long-term care facility within 14 days.

20 **SUMMARY**

22 This bill would prohibit a husband and wife placed into
24 nursing facilities that receive funding from the State from being
26 placed into separate nursing facilities unless they so wished.
Under the bill, a facility that can not admit the spouse of a
resident must ensure placement together within 14 days.