

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1264

H.P. 936

House of Representatives, March 11, 2003

An Act To Require Notice of Deficient Care Provided in Long-term Care Facilities

Reference to the Committee on Health and Human Services suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative DUDLEY of Portland.
Cosponsored by Senator MAYO of Sagadahoc and
Representatives: CRAVEN of Lewiston, LAVERRIERE-BOUCHER of Biddeford, LEWIN of
Eliot, SIMPSON of Auburn, WALCOTT of Lewiston, Senators: BRENNAN of Cumberland,
STRIMLING of Cumberland.

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

2
4 **Sec. 1. 22 MRSA §7943, sub-§6** is enacted to read:

6 6. Notice to public. If a long-term care facility licensed
8 under this chapter or a provider licensed under chapter 1623
10 violates this section by a deficiency that places a resident in
12 imminent jeopardy, the department shall publish a notice in a
14 newspaper of general circulation covering the area in which the
16 long-term facility is located informing the general public of the
18 deficiency that caused the violation. The department shall run
20 this notice weekly for as long as the violation is not
22 corrected. The provisions of this subsection do not affect any
24 other provision regarding violations under this section. If a
26 penalty is imposed under this chapter for the violation, the cost
28 of the newspaper notice must be paid by the proceeds from the
penalty. For purposes of this subsection, "imminent jeopardy"
means a situation that subjects a person to possible serious
injury, impairment or death.

SUMMARY

24 This bill requires the Department of Human Services to
26 publish notices in a newspaper of general circulation if a
28 long-term care facility or in-home provider of adult services has
 failed to correct deficiencies that places a resident in imminent
 jeopardy in the care it is providing.