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H.P. 1145

House of Representatives, April 14, 2003

An Act Regarding Standard Contracts for Assisted Living Services

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. Mac Jailand

MILLICENT M. MacFARLAND Clerk

Presented by Representative KANE of Saco. Cosponsored by Senator WESTON of Waldo and Representatives: CRAVEN of Lewiston, DUGAY of Cherryfield, EARLE of Damariscotta, LAVERRIERE-BOUCHER of Biddeford, LEWIN of Eliot, WALCOTT of Lewiston, Senator: BRENNAN of Cumberland.

Be it enacted by the People of the State of Maine as follows:
Sec.1. 22 MRSA §7862 is enacted to read:
§7862. Contracts for assisted living services
All contracts or agreements executed by providers o
assisted living services under this chapter and a consumer or th legal representative of the consumer are subject to th
requirements of this section.
<u>requirements or this section.</u>
1. Required contract provisions. Each contract o
agreement for assisted living services must contain th
provisions designated as required in the standardized contrac
adopted by the department by rule pursuant to Public Law 1999
chapter 731, Part BBBB, section 5 and may contain additiona
provisions as allowed under subsection 2.
2. Other contract provisions. In addition to the
provisions required under subsection 1, each contract of
agreement for assisted living services may contain provision
that do not violate a state law or rule or federal law of
regulation. A contract or agreement must be consistent with th
rules adopted by the department applicable to the type of
assisted living services provided.
3. Rulemaking. The commissioner shall adopt rules t
implement this section. The rules must be developed
consultation with the long-term care ombudsman progra
established under section 5107-A, consumer representatives and
providers of assisted living services. Rules adopted pursuant (
this section are routine technical rules as defined by Title S
<u>chapter 375, subchapter 2-A.</u>
SUMMARY
This bill provides that a contract or agreement for assiste
living services must contain the provisions designated a
required in the standardized contract adopted by the Department
of Human Services by rule pursuant to Public Law 1999, chapte
731, Part BBBB, section 5 and may contain other provisions the
do not violate a state law or rule or federal law or regulation.

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