

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 519

H.P. 395

House of Representatives, February 1, 2005

### An Act To Strengthen the Laws Concerning Methadone Clinics

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Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative DUNN of Bangor.  
Cosponsored by Senator PERRY of Penobscot and  
Representatives: BLANCHETTE of Bangor, MAZUREK of Rockland.

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

4 **Sec. 1. 5 MRSA §20005-B** is enacted to read:

6 **§20005-B. Licensure of methadone clinics**

8 Beginning January 1, 2006, an applicant for initial  
10 licensure of a methadone clinic must undergo any criminal record  
12 or background check determined to be appropriate by the Attorney  
14 General, submit a business and treatment plan for the clinic that  
16 includes ongoing counseling for clinic clients and have been  
18 issued a certificate of need in accordance with Title 22, chapter  
20 103-A.

22 **Sec. 2. 22 MRSA §328, sub-§17-A, ¶¶B and C,** as corrected by RR  
24 2003, c. 1, §15, is amended to read:

26 B. The addition of a health service that is to be offered  
28 by or on behalf of a health care facility that was not  
30 offered on a regular basis by or on behalf of the health  
32 care facility within the 12-month period prior to the time  
34 the services would be offered and that, for the 3rd fiscal  
36 year of operation, including a partial first year following  
38 addition of that service, is projected to entail incremental  
40 annual operating costs directly attributable to the addition  
42 of that health service of at least \$400,000; or

44 C. The addition in the private office of a health care  
46 practitioner, as defined in Title 24, section 2502,  
48 subsection 1-A, of new technology that costs \$1,200,000 or  
more. The department shall consult with the Maine Quality  
Forum Advisory Council established pursuant to Title 24-A,  
section 6952, prior to determining whether a project  
qualifies as a new technology in the office of a private  
practitioner. Beginning September 30, 2004 and annually  
thereafter, the threshold amount for review must be updated  
by the commissioner to reflect the change in the Consumer  
Price Index medical index. With regard to the private  
office of a health care practitioner, "new health service"  
does not include the location of a new practitioner in a  
geographic area.; or

42 **Sec. 3. 22 MRSA §328, sub-§17-A, ¶D** is enacted to read:

44 D. The initial establishment of a methadone clinic for the  
46 treatment of substance abuse required to be licensed under  
48 Title 5, chapter 521.

## SUMMARY

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4       This bill requires an applicant for a methadone clinic to  
6       submit to criminal record and other background checks, requires a  
      business and treatment plan for a new methadone clinic to provide  
      ongoing counseling for clinic clients and requires a new clinic  
      to have been issued a certificate of need.