

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)



122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1228

H.P. 846

House of Representatives, March 10, 2005

An Act To Create Consistency in the Regulation of Small Group Homes

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative LERMAN of Augusta.

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

2
4 **Sec. 1. 22 MRSA §7855, sub-§4, ¶A,** as enacted by PL 2001, c. 596, Pt. A, §1 and affected by Pt. B, §25, is amended to read:

6 A. A residential care facility that has one to 3 4 beds
8 must comply with the one-family and 2-family dwelling
chapter of the Life Safety Code.

10 **Sec. 2. 22 MRSA §7855, sub-§4, ¶A-1,** as enacted by PL 2003, c. 398, §1, is amended to read:

12 A-1. A residential care facility with -4- 5 ~~to~~ or 6 beds
14 whose residents have prompt evacuation capability, as
16 defined in the Life Safety Code, must comply with the
one-family and 2-family ~~dwellings~~ dwelling chapter of the
18 Life Safety Code if that residential care facility was
licensed under that chapter prior to October 1, 2002.

20 **Sec. 3. 22 MRSA §7855, sub-§4, ¶B,** as corrected by RR 2003, c. 2, §80, is amended to read:

22 B. Except as provided in paragraph A-1, a residential care
24 facility with -4- 5 to 16 beds must comply with the sections
of the Life Safety Code that apply to small facilities and
26 with the chapter relating to new residential board and care
occupancy if that facility is a facility that was
28 constructed on or after July 25, 2002 or with the existing
residential board and care occupancy chapter if that
30 facility was licensed before July 25, 2002.

32 **Sec. 4. 22 MRSA §8103, sub-§§5 and 6,** as enacted by PL 2003, c. 411, §1, are amended to read:

34 **5. Requirements for children's home with more than 4 but**
36 **fewer than 17 beds.** A children's home that has a capacity of
more than 3 4 but fewer than 17 beds must comply with the Life
38 Safety Code of the National Fire Protection Association,
Residential Board and Care Occupancies sections for small
40 facilities as adopted by the Commissioner of Public Safety. In
addition, automatic emergency lights must be provided in the
42 number and location required by the Commissioner of Public Safety.

44 **6. Requirements for children's home with 6 or fewer beds.**
46 Notwithstanding subsection 5, the department may consider a
children's home that has 6 or fewer residents, all of whom can
48 evacuate the home without the assistance of another person in 3
minutes or less, to be in compliance with the one-family and
50 2-family dwelling requirements of the Life Safety Code of the

2 National Fire Protection Association as adopted by the
Commissioner of Public Safety. Facilities having 3 4 or fewer
4 residents must meet the requirements of the one-family and
2-family dwelling chapter of the Life Safety Code of the National
6 Fire Protection Association as adopted by the Commissioner of
Public Safety.

8

SUMMARY

10

12 This bill amends the number of beds a residential care
facility and a children's home must have for fire safety purposes
14 to make the inspection standards consistent between residential
care facilities and children's homes.