

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 1438

H.P. 1002

House of Representatives, March 22, 2005

### **An Act To Require Admission Policies for Hospitals Providing Swing Bed Services**

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative CURLEY of Scarborough.  
Cosponsored by Senator MARTIN of Aroostook and  
Representatives: CUMMINGS of Portland, LEWIN of Eliot, PINGREE of North Haven,  
TARDY of Newport, Senator: ROSEN of Hancock.

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

4 **Sec. 1. 22 MRSA §1720** is enacted to read:

6 **§1720. Admission and discharge policy requirements for hospitals  
with swing beds**

8 A hospital that provides long-term care services, referred  
10 to in this section as a "swing bed hospital," in compliance with  
12 applicable provisions of 42 Code of Federal Regulations, Section  
14 482.66 shall establish admission and discharge policies  
16 consistent with the provisions of this section and other  
18 applicable licensing standards. A swing bed hospital may  
discharge a patient to its own swing beds or to a nursing  
facility of the patient's choice, as long as that nursing  
facility meets all applicable licensing standards. A swing bed  
hospital may not discharge a patient to the swing beds of another  
hospital unless that is the only safe and appropriate alternative.

20 **SUMMARY**

22 This bill requires a hospital that has so-called "swing bed"  
24 services to establish admissions policies limiting the types of  
26 patients that hospital may accept and requiring the hospital to  
discharge patients to that hospital's own swing beds or to  
licensed nursing facilities of the patients' choice.