

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1492

H.P. 1049

House of Representatives, March 28, 2005

An Act To Permit the Department of Health and Human Services To Charge Fees to Homestead Facility Residents

Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.
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.

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

4 **Sec. 1. 34-B MRSA §1409, sub-§1, ¶B-1** is enacted to read:

6 B-1. "Resident," for purposes of this section and this section only, means any of the following:

8 (1) A person who is an inpatient;

10 (2) A person who is an outpatient receiving services from any state institution, including outpatient clinic services; or

12 (3) A resident of the Homestead facility.

14 **Sec. 2. 34-B MRSA §1409, sub-§1, ¶C**, as enacted by PL 1983, c. 580, §5, is amended to read:

16 C. "State institution," for purposes of this section and this section only, includes the Freeport Towne Square and the Homestead facility.

18 **Sec. 3. 34-B MRSA §1409, sub-§2, ¶A**, as enacted by PL 1983, c. 459, §7, is amended to read:

20 A. The commissioner shall establish by rule charges for the care and treatment of residents at any state institution. Rules adopted pursuant to this paragraph are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

22 **Sec. 4. 34-B MRSA §1409, sub-§13**, as enacted by PL 1991, c. 528, Pt. Q, §6 and affected Pt. RRR and enacted by c. 591, Pt. Q, §6, is amended to read:

24 **13. Special revenue account; Riverview Psychiatric Center and Homestead facility.** The commissioner shall establish a special revenue account for the Augusta-Mental-Health-Institute Riverview Psychiatric Center and the Homestead facility and shall deposit into it payments or income received from residents of the Augusta-Mental-Health-Institute Riverview Psychiatric Center and the Homestead facility, the Medicaid program or other 3rd-party payors. The commissioner shall use the funds on deposit for expenses of the Augusta--Mental--Health--Institute Riverview Psychiatric Center and the Homestead facility.

26 **Sec. 5. 34-B MRSA §1409, sub-§15**, as amended by PL 1993, c. 508, Pt. J, §1, is further amended to read:

28 **15. General Fund accounts; disproportionate share hospital match.** The commissioner shall establish General Fund accounts to

2 provide the General Fund match for eligible disproportionate
share hospital components in the ~~Augusta-Mental-Health-Institute~~
3 Riverview Psychiatric Center and the Bangor Mental Health
4 Institute. Any unencumbered balances of General Fund
appropriations remaining at the end of each fiscal year must be
5 carried forward to be used for the same purposes.

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SUMMARY

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This bill includes the Homestead facility among state
11 institutions for which the Commissioner of Health and Human
12 Services is directed to establish charges for the care and
13 treatment of residents. The bill defines "resident" for this
purpose and changes "Augusta Mental Health Institute" to
14 "Riverview Psychiatric Center."
16