

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 339

S.P. 112

January 24, 2007

### **An Act To Prevent Inappropriate Transfers of Residents of Nursing Facilities**

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator MARRACHÉ of Kennebec.  
Cosponsored by Representative TUTTLE of Sanford and  
Senator: BRANNIGAN of Cumberland, Representatives: CAMPBELL of Newfield,  
WALKER of Lincolnville.

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

2 **Sec. 1. Rulemaking.** By January 1, 2008, the Department of Health and Human  
3 Services shall amend the rules for the licensing of long-term care facilities to prevent the  
4 inappropriate transfer of a resident to a hospital as a way of accomplishing the discharge  
5 of the resident. The rules must accommodate the need to match resident needs with the  
6 service capabilities of a long-term care facility, the necessity of transfer to a hospital  
7 when resident needs require hospital-level service and procedures for discharge from the  
8 hospital and readmission to a long-term care facility. Rules adopted pursuant to this  
9 section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

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#### SUMMARY

11 This bill directs the Department of Health and Human Services to amend, by January  
12 1, 2008, the rules for the licensing of long-term care facilities to prevent the inappropriate  
13 transfer of a resident to a hospital as a way of accomplishing the discharge of the resident.  
14 The rules are routine technical rules.