

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1781

H.P. 1243

House of Representatives, March 29, 2007

An Act To Prevent Duplication in Certification of Medical Facilities

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MILLS of Farmington.

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

2 **Sec. 1. 22 MRSA §1816**, as amended by PL 1997, c. 488, §2, is further amended
3 by adding at the end a new paragraph to read:

4 A licensee under this chapter is exempt from department inspection requirements
5 under this chapter if the licensee is certified by the Centers for Medicare and Medicaid
6 Services for participation in the federal Medicare program and holds full accreditation
7 status by a health care facility accrediting organization recognized by the Centers for
8 Medicare and Medicaid Services. If a licensee is certified to participate in the federal
9 Medicare program and not accredited by a health care facility accrediting organization
10 recognized by the Centers for Medicare and Medicaid Services, the department shall
11 inspect the licensee every 3 years for compliance with the Centers for Medicare and
12 Medicaid Services' conditions of participation. The provisions of this paragraph do not
13 exempt a licensee from an inspection by the department in response to a complaint or
14 suspected violation of this chapter or of the Centers for Medicare and Medicaid Services'
15 conditions of participation or an inspection by another state agency or municipality for
16 building code, fire code, life safety code or other purposes unrelated to health care facility
17 licensing or accreditation. For purposes of this paragraph, "Centers for Medicare and
18 Medicaid Services" means the United States Department of Health and Human Services,
19 Centers for Medicare and Medicaid Services.

20

SUMMARY

21 This bill exempts a health care facility from Department of Health and Human
22 Services inspection requirements if the health care facility is certified to participate in the
23 federal Medicare program and accredited by a recognized health care accrediting agency.
24 If the health care facility is certified for participation in the Medicare program but not
25 accredited, then the facility must be inspected by the department every 3 years. This bill
26 does not exempt health care facilities from Department of Health and Human Services
27 inspection in response to complaints or suspected violations or by other agencies or
28 municipalities for purposes unrelated to health care facility licensing.