



123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1782

H.P. 1244

House of Representatives, March 29, 2007

Resolve, To Clarify the Rules of Reimbursement for Personnel Working in Homes Providing Services to Persons with Brain Injuries

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

Millicent M. Mac Jailand

MILLICENT M. MacFARLAND Clerk

Presented by Representative CAIN of Orono. Cosponsored by Senator ROTUNDO of Androscoggin and Representatives: MILLS of Farmington, PINGREE of North Haven, ROBINSON of Raymond, WEBSTER of Freeport. Preamble. Whereas, current rules limit administrators of certain residential care
facilities to performing only administrative duties; and

3 Whereas, certain residential care facilities for people with brain injuries are small 4 and serve a unique group of individuals; and

5 Whereas, because the size of the staff of such homes is small, the staff must fulfill a 6 variety of roles to best manage the health and safety needs of the individuals for whom 7 they provide care; and

8 Whereas, in order to ensure that the costs to the MaineCare program are kept low 9 and in order to best serve the citizens of the State, this legislation authorizes the 10 administrators of such residential care facilities to perform duties other than 11 administrative duties; now, therefore, be it

12 Sec. 1. Certain administrators not limited. Resolved: That, notwithstanding 13 any provision of law or rule to the contrary, the administrator of a residential care facility 14 is not limited solely to the performance of administrative duties if that residential care 15 facility is:

A 6-bed Level III residential care facility licensed by the Department of Health
and Human Services, Division of Licensing and Certification and reimbursed through
MaineCare;

- 19 2. Limited to residents who suffer from brain injury; and
- 20 3. Not affiliated with a larger or parent organization.
 - SUMMARY

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This resolve provides that, with respect to 6-bed Level III residential care facilities for residents who suffer from brain injury that are not affiliated with a larger or parent organization, administrators are not limited solely to the performance of administrative duties.