

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 123rd MAINE LEGISLATURE

## SECOND REGULAR SESSION-2008

---

Legislative Document

No. 2035

H.P. 1419

House of Representatives, December 21, 2007

### **An Act To Clarify the Laws Governing the Inspection of Medical Facilities**

---

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 19, 2007. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

*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, 3rd ¶**, as enacted by PL 2007, c. 314, §1 and affected  
3 by §2, is amended to read:

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

21

#### SUMMARY

22 This bill clarifies that state inspections of medical facilities and survey visits are not  
23 required unless there is a documented complaint regarding a specific problem.