

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

AT THE

SECOND REGULAR SESSION

January 2, 1980 to April 3, 1980

AND AT THE

THIRD SPECIAL SESSION

May 22, 1980

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND NINTH LEGISLATURE
January 2, 1980 to April 3, 1980

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective April 2, 1980

CHAPTER 725

H. P. 1816 — L. D. 1927

AN ACT to Provide for Licensing and Regulation of Adult Foster Homes.

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

Sec. 1. 22 MRSA § 7901, sub-§ 3 is enacted to read:

3. **Adult foster care facility.** “Adult foster care facility” means a residence, other than a boarding care facility, operated for the purpose of providing boarding care to 4 or fewer residents.

Sec. 2. 22 MRSA § 7908 is enacted to read:

§ 7908. **Approval by department; rules.**

1. **Approval required.** No adult foster care facility may be eligible to receive state reimbursement without first being approved by the Department of Human Services.

2. **Limitations on rules.** Pursuant to the Maine Administrative Procedure Act, Title 5, chapter 375, the commissioner shall adopt reasonable rules to carry out the purposes of this section. These rules shall be limited to rules concerning admission policies, safety, sanitation and protection of civil rights. Rules adopted in 1980 shall expire on December 31, 1980.

Sec. 3. **Transition provision.** For the purposes of this Act, any adult foster care facility or boarding care facility which was approved or licensed on the day before the effective date of this Act shall continue to be approved or licensed after the effective date of this Act until its regular, temporary or conditional approval or license expires. After the expiration of that approval or license, any facility shall comply with this Act and the rules adopted hereunder.

Effective July 3, 1980