

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND SIXTEENTH LEGISLATURE**

**SECOND REGULAR SESSION**

**January 5, 1994 to April 14, 1994**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 14, 1994**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1993**

**SUBCHAPTER II**  
**LICENSING OF VOLUNTEER**  
**HOSPICE PROGRAMS**

**§8631. Volunteer hospice programs**

A volunteer hospice program must comply with this section and with all provisions of subchapter I that are relevant to a volunteer hospice program.

**1. Direct services.** At a minimum, a direct service volunteer must:

- A. Submit a written application;
- B. Undergo a screening interview and a post-training interview;
- C. Attend a 20-hour standard training program;
- D. Submit a confidentiality statement; and
- E. If the volunteer will transport individuals, have proof of auto insurance and a valid driver's license.

**2. Policies and procedures.** Hospice programs shall develop and maintain policies and procedures that address the following:

- A. Recruitment, retention and dismissal;
- B. Screening;
- C. Orientation;
- D. Scope of function;
- E. Supervision;
- F. Ongoing training and support;
- G. Interdisciplinary team conferencing;
- H. Records of volunteer activities; and
- I. Bereavement services.

**3. Duties of coordinator.** Volunteer services must be directed by a coordinator of volunteer services who shall:

- A. Implement a direct service volunteer program;
- B. Coordinate the orientation, education, support and supervision of direct service volunteers; and
- C. Coordinate the use of direct service volunteers with other hospice staff.

**4. Demonstrated knowledge.** Volunteers must demonstrate knowledge of and ability to access community resources that reflect the full scope of hospice care.

**Sec. 2. Rules.** The Department of Human Services shall adopt rules to carry out the purposes of the Maine Revised Statutes, Title 22, chapter 1681 no later than one year from the effective date of this Act.

**Sec. 3. Exception.** Notwithstanding the Maine Revised Statutes, Title 22, section 8622, subsection 5, the licensed nursing facility in the City of Auburn that offers inpatient hospice services under the name Clover Hospice is eligible for licensure as a hospice if:

- 1. The facility does not expand its inpatient hospice services;
- 2. The facility continues to meet nursing facility licensing rules; and
- 3. The facility meets all hospice licensing standards except the requirement that inpatient services be offset with a specified level of in-home services.

This section is repealed January 1, 1996.

**Sec. 4. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

**1994-95**

**HUMAN SERVICES,  
DEPARTMENT OF**

**Medical Care - Administration**

All Other \$5,200

Provides funds to support the costs associated with licensing hospice programs.

See title page for effective date.

**CHAPTER 693**

**S.P. 601 - L.D. 1699**

**An Act to Establish the Debt Service  
Limit for Fiscal Year 1997 and Fiscal  
Year 1998**

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

**Sec. 1. 20-A MRSA §15905, sub-§1, ¶A,** as amended by PL 1993, c. 410, Pt. F, §20, is further amended to read:

A. The state board may approve projects as long as no project approval will cause debt service costs, as defined in section 15603, subsection 8, paragraph A, to exceed the maximum limits specified in Table 1 in subsequent fiscal years.

Table 1

Fiscal year	Maximum Debt Service Limit
1990	\$48,000,000
1991	\$57,000,000
1992	\$65,000,000
1993	\$67,000,000
1994	\$67,000,000
1995	\$67,000,000
1996	\$67,000,000
<u>1997</u>	<u>\$67,000,000</u>
<u>1998</u>	<u>\$67,000,000</u>

See title page for effective date.

**CHAPTER 694**

**S.P. 583 - L.D. 1627**

**An Act to Amend the Structure of Veterans' Services**

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

**Sec. 1. 37-B MRSA §4,** as amended by PL 1991, c. 626, §6, is further amended to read:

**§4. Directors of bureaus**

~~Each~~ The Division of Veterans' Services and each bureau of the department must have a director. ~~The Director of the Military Bureau, the Director of Operations of the Division of Veterans' Services and the Director of the Maine Emergency Management Agency~~ must ~~are~~ each ~~be~~ appointed by the Adjutant General and shall serve at the pleasure of the Adjutant General. These directors may not hold any other state office for compensation. If the Adjutant General is unable to act, the Director of the Military Bureau has the civilian administrative powers and duties of

the Adjutant General in the Adjutant General's capacity as Commissioner of Defense and Veterans' Services. The Director of the Military Bureau may also perform other civilian duties of the Adjutant General as assigned by the Adjutant General or the Governor.

**Sec. 2. 37-B MRSA §502,** as amended by PL 1991, c. 626, §8, is further amended to read:

**§502. Director of Operations of the Division of Veterans' Services**

The ~~Supervisor~~ Director of Operations of the Division of Veterans' Services, ~~referred to in this chapter as the "supervisor,"~~ shall ~~supervise~~ direct the operation of the division.

**Sec. 3. 37-B MRSA §503,** as amended by PL 1991, c. 626, §9, is further amended to read:

**§503. Powers and duties**

The ~~supervisor~~ Director of Operations has the following powers and duties.

**1. Employment of personnel.** The ~~supervisor~~ Director of Operations may employ, subject to approval of the appointing authority and the Civil Service Law, the personnel necessary to administer this chapter. All full-time permanent employees, except clerical employees, must be persons who served on active duty in the United States Armed Forces during any federally recognized period of conflict, as defined in section 504, subsection 4, paragraph A-1, subparagraph (3).

**2. Expenditures.** The ~~supervisor~~ Director of Operations may make expenditures approved by the Adjutant General necessary to carry out this chapter.

**3. Agent.** The ~~supervisor~~ Director of Operations shall act, upon request, as the agent of any Maine resident who has a claim against the United States for any compensation, pension, insurance, loan or other benefit accruing as a result of any federal military service and, in cooperation with all public and private agencies, shall prosecute the claim without charge.

**4. Record.** The ~~supervisor~~ Director of Operations shall maintain a permanent record of all Maine residents who served in the armed services after December 7, 1941.

**6. Other duties.** The ~~supervisor~~ Director of Operations shall perform other duties required by this chapter.