

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

FIRST REGULAR SESSION
December 6, 2006 to June 21, 2007

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FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
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IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2007

CHAPTER 70
H.P. 149 - L.D. 167

**An Act To Allow Military
Personnel Stationed in Maine
To Register All-terrain
Vehicles As Residents**

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

Sec. 1. 12 MRSA §13155, sub-§11 is enacted to read:

11. Member of United States Armed Forces permanently stationed in State. A person is eligible to register an ATV owned by that person at the resident fee if that person is:

A. Serving in the Armed Forces of the United States and is permanently stationed at a military or naval post, station or base in the State; or

B. The spouse or child of a person under paragraph A if the spouse or child permanently resides with that person.

A member of the Armed Forces of the United States stationed in the State or the spouse or child of that member who desires to register an ATV in this State shall present certification from the commander of the member's military or naval post, station or base, or from the commander's designated agent, that the member is permanently stationed at that post, station or base.

See title page for effective date.

CHAPTER 71
H.P. 250 - L.D. 306

**An Act To Provide Medically
Necessary Speech Therapy
Services**

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

Sec. 1. 22 MRSA §3174-FF, sub-§3, ¶A, as enacted by PL 2003, c. 673, Pt. MMM, §1, is repealed and the following enacted in its place:

A. A member is eligible for speech therapy benefits if the member has been assessed to have rehabilitation potential or a demonstrated medical necessity for speech therapy to avoid a significant deterioration in the member's ability to communicate orally, safely swallow or masticate. In order for the member to be eligible for speech therapy benefits, a physician must document that the member has experienced a significant decline in

ability to communicate orally, safely swallow or masticate or may reasonably suffer a significant deterioration in these functions if therapy is not provided. Speech therapy benefits must cover one initial evaluation of the member per provider per year and one reevaluation every 6 months per provider. Speech therapy benefits must cover outpatient therapy provided in the home, independent practitioners' offices and speech and hearing clinic sites.

See title page for effective date.

CHAPTER 72
H.P. 548 - L.D. 727

**An Act To Expand the
Definition of Health Care
Facility under the Maine
Health and Higher Educational
Facilities Authority Act**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, it is imperative that funding be available as soon as practicable so that hospice facilities may begin to provide end-of-life care for those individuals in need of such care and so that health information networks may begin the critical work toward developing a system of electronic medical records; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 22 MRSA §2053, sub-§3-A, as amended by PL 2005, c. 407, §1, is further amended to read:

3-A. Health care facility. "Health care facility" means a nursing home that is, or will be upon completion, licensed under chapter 405; a residential care facility that is, or will be upon completion, licensed under chapter 1663; a continuing care retirement community that is, or will be upon completion, licensed under Title 24-A, chapter 73; an assisted living facility that is, or will be upon completion, licensed under chapter 1664; a hospital; a community mental health facility; a scene response air ambulance licensed under Title 32, chapter 2-B and the rules adopted thereunder; a facility of a hospice program that is, or will be upon completion, licensed under