

# MAINE STATE LEGISLATURE

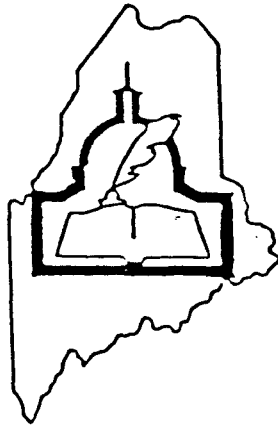
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STATE OF MAINE  
ONE HUNDRED AND TWELFTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON  
HUMAN RESOURCES  
BILL SUMMARY



JULY, 1985

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ONE HUNDRED AND TWELFTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
JULY 1985

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature, covering the First Regular Session of the 112th Legislature. The summaries are arranged by LD number and indexed separately by committee.

LD: 591 AN ACT TO PROTECT APPLICANTS FOR ADMISSION TO NURSING HOMES FROM UNFAIR AND ILLEGAL TRADE PRACTICES BUSTIN  
 CONNOLLY  
 HAYDEN  
 MELENDY  
 PUBLIC  
 CH # 291

OTP-AM HOUSE Enacted  
 SENATE Enacted  
 GOV SIGNED

S-133 CA H S  
 S-143 CA DANTON H S

SUMMARY

The original bill required a uniform admission contract for nursing homes, to be developed by October 1, 1985. Failure to comply with the uniform contract would have been a violation of the Fair Trade Practices Act.

The committee amendment (S-133) replaced the original bill and amended the title to: "AN ACT Concerning Admission Contracts for Nursing Homes". It provided statutory guidelines for the provisions of any admission contract or agreement between a nursing home and a resident. Senate Amendment "A" to Committee Amendment "A" (S-143) corrected the terminology for referring to "rules".

LD: 605 AN ACT RELATING TO CONTRACTS FOR CHILDREN'S PLACEMENT AT RESIDENTIAL TREATMENT FACILITIES ROLDE  
 MURPHY T  
 GILL  
 DANTON  
 PUBLIC  
 CH # 274

OTP-AM HOUSE Enacted  
 SENATE Enacted  
 GOV SIGNED

H-205 CA H S

SUMMARY

This bill originally sought to provide guidelines for determining the number of children to be placed in residential treatment centers by the state and the number of contracted spaces the state should reserve for those children. The bill suggested that the factors to be used in making this determination should be the demonstrated need for placements, the number of beds available, the most recent prior usage, and overall state policies regarding services to children. It would also have established a criteria for rate-setting (rates should be based on actual allowable historical costs of providing services) and would have required the contracts to "state clearly the reasons leading to the number of children placed and the rates for placement. The contracts would be for a two year period. The commissioner would be required to identify the number of children to be placed and the funds available in their budget request. The bill also proposed an advisory group to meet with the commissioner at least annually to review rate and placement policies and procedures.

The Committee amendment (H-205) replaced the original bill and title. The new title reads: "AN ACT Relating to the Interdepartmental Committee and Children's Residential Treatment Centers". It provided a statutory framework for the interdepartmental committee that has been coordinating the efforts of the Department of Educational and Cultural Services; the Department of Human Services; the Department of Mental Health and Mental Retardation; and the Department of Corrections in contracting with children's residential treatment centers. The amendment also established statutory duties for that committee and created an advisory group to meet with the committee at least once every year. When the committee is operating in its capacity under this law it shall be designated as the Children's Residential Treatment Committee. That designation will distinguish this committee from any other interdepartmental efforts in other subject areas.

LD:	659	AN ACT TO AMEND PROVISIONS GOVERNING THE PROCEDURES OF THE MAINE HEALTH CARE FINANCE COMMISSION	NELSON BUSTIN BRODEUR MANNING PUBLIC CH # 109
OTP		HOUSE Enacted SENATE Enacted GOV SIGNED	

SUMMARY:

This law ensures that the formal proceedings under the Administrative Procedures Act will not be necessary for the less formal proceedings of the Health Care Finance Commission. It retains the existing ability of the commission to extend its consideration of challenges to proposed revenue limits beyond the beginning of a payment year, provided that a provisional revenue limit is established pending a final decision. This ability to extend cases allows the commission to respond to the needs of hospitals and payors for adequate time to present their positions. This extension ability was limited to the 1st payment year for hospitals. This law also increases the maximum extension from 90 to 150 days.

To assure that there is no gap between the extension authority under existing law for first-year revenue limits and the new provision allowing extensions for subsequent years a transition provision was also enacted.