

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
130<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



Disposition of bills and summaries of all laws enacted or finally passed

**JOINT STANDING COMMITTEE ON HEALTH AND  
HUMAN SERVICES**

July 2022

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## **JOINT STANDING COMMITTEE ON HEALTH AND HUMAN SERVICES**

### **LD 1849 An Act To Clarify Inspection Requirements for Hospitals and Certain Nursing Facilities**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 541 makes changes to the inspection requirements for hospitals and nursing facilities.

1. It removes the requirement for nursing facilities providing both nursing home and assisted living services to receive a single coordinated licensing and fire code inspection. Nursing home services inspections occur at varied intervals between nine and 15 months apart based on a facility's performance with the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services' conditions of participation, while assisted living services inspections occur on a 2-year cycle.
2. It provides that a hospital is exempt from inspection by the Maine Department of Health and Human Services if it submits to the department a copy of its accreditation survey results completed by a health care facility accrediting organization, including a statement of any deficiencies and corresponding plan of correction. The survey findings submitted to the department are confidential.

### **LD 1853 Resolve, To Increase Oversight of the Child Welfare System**

#### **ENACTED LAW SUMMARY**

Resolve 2021, chapter 142 enacts additional reporting requirements related to the child welfare system. The joint standing committee of the Legislature having jurisdiction over health and human services matters is authorized to report out legislation pursuant to any of these reports at the next regular or special session of the Legislature. The additional reporting requirements are:

1. The child welfare advisory panel and the child death and serious injury review panel are required to submit quarterly reports to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the child welfare system and efforts to collaborate between the citizen review panels as required by the federal Child Abuse Prevention and Treatment Act; and
2. The Department of Health and Human Services, Office of Child and Family Services is required to submit quarterly reports to the joint standing committee of the Legislature having jurisdiction over health and human services matters regarding progress in implementing the recommendations of the Casey Family Programs and Collaborative Safety report completed for the department in October 2021, responses to recommendations from the child welfare advisory panel established pursuant to the Maine Revised Statutes, Title 22, section 4010-D and progress in efforts described in the department's annual report on child welfare.

## **JOINT STANDING COMMITTEE ON HEALTH AND HUMAN SERVICES**

Resolve 2021, chapter 142 was finally passed as an emergency measure effective April 7, 2022.

### **LD 1864 Resolve, Regarding Legislative Review of Chapter 33: Family Child Care Provider Licensing Rule, a Major Substantive Rule of the Department of Health and Human Services, Office of Child and Family Services**

#### **ENACTED LAW SUMMARY**

Resolve 2021, chapter 138 authorizes the Department of Health and Human Services, Office of Child and Family Services to adopt its major substantive rule Chapter 33: Family Child Care Provider Licensing Rule as long as certain changes are made to the rule. The rule must be amended to remove certain references to critical violations and administrative fines. The rule must make clarifications to immunization records for providers and staff and must update the child care immunization standards to those published in 2021. The rule must be amended to replace the requirement for both hot and cold water in toilet facilities with a requirement for only running water, make training on transportation of children biennial and require providers to enroll in the Quality Rating and Improvement System within the Office of Child and Family Services.

Resolve 2021, chapter 138 was finally passed as an emergency measure effective March 31, 2022.

### **LD 1865 Resolve, Regarding Legislative Review of Chapter 34: Child Care Provider (Child Care Facilities and Family Child Care Providers) Background Check Licensing Rule, a Major Substantive Rule of the Department of Health and Human Services, Office of Child and Family Services**

#### **ENACTED LAW SUMMARY**

Resolve 2021, chapter 130 authorizes the adoption of Chapter 34: Child Care Provider (Child Care Facilities and Family Child Care Providers) Background Check Licensing Rule, a major substantive rule of the Department of Health and Human Services, Office of Child and Family Services.

Resolve 2021, chapter 130 was finally passed as an emergency measure effective March 16, 2022.

### **LD 1867 An Act To Codify MaineCare Rate System Reform**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 639 formalizes the Department of Health and Human Services' MaineCare provider reimbursement rate system reform effort by establishing rate development principles and processes, specifying rule-making requirements for rate adjustments, establishing