

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Prevent Duplication in Certification of Medical Facilities

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

Sec. 1. 22 MRSA §1816, as amended by PL 1997, c. 488, §2, is further amended by adding at the end a new paragraph to read:

A licensee under this chapter is exempt from department inspection requirements under this chapter if the licensee is certified by the Centers for Medicare and Medicaid Services for participation in the federal Medicare program and holds full accreditation status by a health care facility accrediting organization recognized by the Centers for Medicare and Medicaid Services. If a licensee is certified to participate in the federal Medicare program and not accredited by a health care facility accrediting organization recognized by the Centers for Medicare and Medicaid Services, the department shall inspect the licensee every 3 years for compliance with the Centers for Medicare and Medicaid Services' conditions of participation. The provisions of this paragraph do not exempt a licensee from an inspection by the department in response to a complaint or suspected violation of this chapter or of the Centers for Medicare and Medicaid Services' conditions of participation or an inspection by another state agency or municipality for building code, fire code, life safety code or other purposes unrelated to health care facility licensing or accreditation. For purposes of this paragraph, "Centers for Medicare and Medicaid Services" means the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services.

SUMMARY

This bill exempts a health care facility from Department of Health and Human Services inspection requirements if the health care facility is certified to participate in the federal Medicare program and accredited by a recognized health care accrediting agency. If the health care facility is certified for participation in the Medicare program but not accredited, then the facility must be inspected by the department every 3 years. This bill does not exempt health care facilities from Department of Health and Human Services inspection in response to complaints or suspected violations or by other agencies or municipalities for purposes unrelated to health care facility licensing.