

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

Amend the bill by striking out the title and substituting the following:

'Resolve, Regarding the Use of Restraints in Nursing Facilities'

Amend the bill by striking out everything after the title and before the summary and inserting the following:

'Sec. 1 Preadmission information. Resolved: That the Department of Health and Human Services shall adopt rules to ensure that prior to admission to a nursing facility a prospective resident or the family or guardian of a prospective resident is provided with information about the policy of the nursing facility regarding the use of restraints, including examples of the use of and alternatives to restraints in the nursing facility. The examples must include the use of bed side rails and other strategies to address falls from bed. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A; and be it further

Sec. 2 Report. Resolved: That on or before January 1, 2008, January 1, 2009 and January 1, 2010, the Department of Health and Human Services shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters regarding the use of bed side rails as restraints.'

SUMMARY

This amendment replaces the bill with a resolve. The amendment requires the Department of Health and Human Services to adopt rules to ensure that prospective residents of nursing facilities and their families or guardians are provided information about restraint policies. The amendment also requires reports once a year for 3 years regarding the use of bed side rails as restraints.

FISCAL NOTE REQUIRED
(See attached)