

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

An Act Regarding the Transfer of Nursing Facilities

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

Sec. 1. 22 MRSA §3175-D is enacted to read:

§ 3175-D. Nursing facility depreciation

1. Depreciation. For sales of nursing facilities, as defined in section 1812-A, that occur on or after October 1, 2009, the department shall either:

- A. At the time of the sale, recapture depreciation paid by the department under the MaineCare program, from the proceeds of the sale; or
- B. At the election of the buyer and seller, waive the recapture of depreciation at the time of the sale and allow the asset to transfer at the historical cost of the seller less depreciation allowed under the MaineCare program to the buyer for reimbursement purposes.

Effective September 12, 2009