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An Act To Increase Efficiency and Effectiveness in the Licensing of Certain Health and Human Services Providers

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

Sec. 1. 5 MRSA §20024, first ¶, as amended by PL 1991, c. 850, §5, is further amended to read:

TheExcept as otherwise provided in this section, the office shall periodically enter, inspect and examine a treatment facility or program and examine its books, programs, standards, policies and accounts. This examination process must include a review of the requirements to be a communitybased service provider pursuant to subchapter ~~¶~~5. The office shall fix and collect the fees for the inspection and certification and shall maintain a list of approved public and private treatment facilities.

Sec. 2. 5 MRSA §20024, as amended by PL 1991, c. 850, §5, is further amended by adding at the end a new paragraph to read:

A treatment facility or program that receives and maintains accreditation from a nationally recognized accrediting body as determined by the office may obtain a certificate of approval pursuant to section 20005, subsection 6 by submitting documentation of that accreditation to the office along with any applicable fees. Upon receipt of the documentation of accreditation and any fees, the office shall issue a certificate of approval to the facility or program and include the accredited facility or program on any list of approved facilities and programs maintained by the office. Notwithstanding a facility's or program's maintenance of accreditation, the office may withdraw the certificate of approval and remove the facility or program from the office's list of approved facilities and programs for failure to provide data, statistics, schedules or other information reasonably required by the office or for findings resulting from the investigation of an incident.

Sec. 3. 22 MRSA §7801, sub-§6 is enacted to read:

6. Approved and licensed by accreditation. A person, firm, corporation or association operating a program or facility described under subsection 1 that receives and maintains accreditation from a nationally recognized accrediting body as determined by the department may obtain a license required pursuant to subsection 1 by submitting documentation of that accreditation to the department along with any applicable fees. Upon receipt of the documentation of accreditation and any fees, the department shall issue a written license to the person, firm, corporation or association and include the accredited program or facility on any list of approved and licensed programs and facilities maintained by the department. Notwithstanding a program's or facility's maintenance of accreditation, the department may withdraw the license and remove the program or facility from the department's list of approved programs and facilities for findings resulting from the investigation of an incident.

Sec. 4. 34-B MRSA §1203-A, sub-§8 is enacted to read:

8. Approved and licensed by accreditation. An agency or facility required to obtain a license under this section that receives and maintains accreditation from a nationally recognized accrediting body as determined by the commissioner may obtain a full license by submitting documentation of that accreditation to the commissioner along with any applicable fees. Upon receipt of the documentation of accreditation and any fees, the commissioner shall issue a full license to the agency or facility and include the accredited agency or facility on any list of fully licensed agencies and facilities maintained by the commissioner. Notwithstanding an agency's or facility's maintenance of accreditation, the commissioner may withdraw the full license, change the license status to conditional or provisional and remove the agency or facility from the commissioner's list of approved agencies and facilities for findings resulting from the investigation of an incident.

SUMMARY

This bill requires the Department of Health and Human Services to approve and license substance abuse treatment, child and adult welfare and behavioral health agencies, programs and facilities that receive and maintain accreditation by nationally recognized accrediting bodies. The Department of Health and Human Services is required to include the agency, program or facility on any list of approved and licensed agencies, programs and facilities maintained by the department. Notwithstanding an agency's, program's or facility's maintenance of accreditation, the Department of Health and Human Services may revoke the certificate of approval and remove a substance abuse treatment program or facility from the department's list of approved programs and facilities for failure to provide data, statistics, schedules or other information reasonably required by the department or revoke or modify any agency's, program's or facility's license for findings resulting from the investigation of an incident.