

§7862. Contracts for assisted living services

Except as provided by subsection 2-A, all contracts or agreements executed by providers of assisted living services under this chapter and a consumer or the legal representative of the consumer are subject to the requirements of this section. [PL 2023, c. 89, §4 (AMD).]

1. Required contract provisions. Each contract or agreement for assisted living services must contain the provisions designated as required in the standardized contract adopted by the department by rule pursuant to Public Law 1999, chapter 731, Part BBBB, section 5 and may contain additional provisions as allowed under subsection 2. [PL 2003, c. 546, §1 (NEW).]

2. Other contract provisions. In addition to the provisions required under subsection 1, each contract or agreement for assisted living services may contain provisions that do not violate a state law or rule or federal law or regulation. A contract or agreement must be consistent with the rules adopted by the department applicable to the type of assisted living services provided. [PL 2003, c. 546, §1 (NEW).]

2-A. Exception. This section does not apply to a contract for the provision of services in a setting for an adult with an acquired brain injury, an intellectual disability, autism spectrum disorder, as defined in Title 34-B, section 6002, subsection 1, or a related condition, as defined in Title 34-B, section 5001, subsection 5-A. [RR 2023, c. 1, Pt. A, §18 (COR).]

3. Rulemaking. The commissioner shall adopt rules to implement this section. The rules must be developed in consultation with the long-term care ombudsman program established under section 5107-A, consumer representatives and providers of assisted living services. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A. [PL 2003, c. 546, §1 (NEW).]

SECTION HISTORY

PL 2003, c. 546, §1 (NEW). PL 2023, c. 89, §§4, 5 (AMD). RR 2023, c. 1, Pt. A, §18 (COR).

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