Office of
The Governor

No. 1 FY 20/21
DATE July 7, 2020

AN ORDER SUSPENDING ENFORCEMENT OF CERTAIN LICENSING STATUTES AND RULES

WHEREAS, I proclaimed a state of emergency on March 15, 2020 and renewed states of emergency on April 14, 2020, May 13, 2020 and June 9, 2020 to authorize the use of emergency powers in order to expand and expedite the State's response to the serious health and safety risks of the highly contagious COVID-19; and

WHEREAS, certain certification, examination and supervision processes governing the ability of numerous people to practice their profession have been disrupted during the state of emergency, as some testing companies have ceased or reduced credentialing assessment or individuals complying with state orders to stay at home in order to slow the spread of COVID-19 have been unable comply with credentialing requirements; and

WHEREAS, the governor's emergency powers expressly include the authority to adjust time frames and certain deadlines imposed by law when necessary to mitigate an effect of the emergency pursuant to 37-B M.R.S. § 742(1)(C)(13)(a); modify or suspend the requirements for professional or occupational licensing or registration if strict compliance hinders coping with the emergency pursuant to 37-B M.R.S. § 742(1)(C)(13)(c); and suspend the enforcement of statutes or agency rules inconsistent with managing the emergency pursuant to 37-B M.R.S. § 742(1)(C)(1) and § 834;

NOW, THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to 37-B M.R.S. Ch. 13, including but not limited to provisions cited above, do hereby Order the following:

I. ORDERS

The Commissioner of the Department of Professional and Financial Regulation, Director of the Office of Professional and Occupational Regulation, and the professional licensing boards under the jurisdiction of the Office of Professional and Financial Regulation shall immediately comply

with the following modifications to requirements for licensure which shall continue while this Order is in effect.

The requirements for provisional, temporary, or conditional licenses, and social worker licenses, set forth in 32 M.R.S. Chapters 2, 56, 81, 83, 97, 103, 104, 119 and 126 and related rules are hereby adjusted to the extent necessary to allow the following:

A. Provisional, temporary, or conditional licenses due to expire on or after March 1, 2020 shall remain active until 90 days after the conclusion of the declared state of civil emergency or until such time as the holder of such a license passes the required examination or obtains their independent or next level license, whichever shall come first.

B. Provisional, temporary, or conditional licensees licensed under Chapters 2, 81, 83 and 119, licensed professional counselors, and licensed social workers, who hold an active license that is scheduled to expire on or before March 20, 2021, may renew that license without satisfying any continuing education requirement that would otherwise apply.

C. Provisional, temporary, or conditional licensees licensed under Chapters 2, 81, 83 and 119, alcohol and drug counseling aides, certified alcohol and drug counselors, and licensed social workers, who must complete required supervision or consultation hours may complete any of those supervision or consultation hours via videoconference or telephone or other audio-only technology until 90 days after the conclusion of the declared state of civil emergency.

II. EFFECTIVE DATE

This Order is effective July 7, 2020 and shall remain in effect until rescinded or until 90 days after the State of Civil Emergency to Protect Public Health is terminated, whichever occurs first.

Janet T. Mills
Governor