## **02-383**

## **BOARD OF OSTEOPATHIC LICENSURE**

## 2015/2016 Regulatory Agenda

November 29, 2016

AGENCY UMBRELLA-UNIT NUMBER: **02-383**

AGENCY NAME: **Board of Osteopathic Licensure** (*affiliated with the* Department of Professional and Financial Regulation)

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**EMERGENCY RULES ADOPTED SINCE LAST REGULATORY AGENDA:** None

**EXPECTED 2015/2016 RULE-MAKING ACTIVITY:**

**NEW RULE CHAPTER 1**: Definitions

STATUTORY AUTHORITY: 32 M.R.S. §§ 2562 & 2581

PURPOSE: To identify the meanings of certain words used throughout the Board rules.

ANTICIPATED SCHEDULE: Winter/Spring 2016

AFFECTED PARTIES: Citizens and licensees of the State of Maine

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

# REPEAL RULE CHAPTER 2: Physician Assistants

STATUTORY AUTHORITY: 32 M.R.S. §§ 2562 & 2581

PURPOSE: Will be rewritten as joint rule with Board of Licensure in Medicine.

ANTICIPATED SCHEDULE: Fall/Winter 2015/2016

AFFECTED PARTIES: Citizens and licensees of the State of Maine

CONSENSUS-BASED RULE DEVELOPMENT: N/A

# NEW RULE CHAPTER 2: Physician Assistants (*joint w/*Board of Licensure in Medicine)

STATUTORY AUTHORITY: 32 MRS §§ 2562 & 2581

PURPOSE: To create a rule for a common license and clarify the requirements for licensure, education, fees, etc.

ANTICIPATED SCHEDULE: Fall/Winter 2015/2016

AFFECTED PARTIES: Citizens and licensees of the State of Maine

CONSENSUS-BASED RULE DEVELOPMENT: Contemplated

# REPEAL RULE CHAPTER 3: Physician Supervision of Physician Extenders

STATUTORY AUTHORITY: 32 MRS §§ 2562 & 2581

PURPOSE: Will be rewritten as joint rule with Board of Licensure in Medicine.

ANTICIPATED SCHEDULE: Fall/Winter 2015/2016

AFFECTED PARTIES: Citizens and licensees of the State of Maine

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**NEW RULE CHAPTER 6**: Telemedicine Standards of Practice

STATUTORY BASIS: 32 MRS §§ 2562 & 2581

PURPOSE: To create a joint rule with the Board of Licensure in Medicine to establish standards for the practice of medicine using telemedicine.

SCHEDULE FOR ADOPTION: Winter 2016/2017

AFFECTED PARTIES: Physicians, physician assistants and patients

CONSENSUS-BASED RULE DEVELOPMENT: N/A

# NEW RULE CHAPTER 7: Complaints, Investigations, Ethics & Unprofessional Conduct

PURPOSE: To protect the citizens of Maine, this rule will describe the procedure the Board uses for processing complaints and or initiating its own complaints & investigations and define those acts and/or omissions that constitute unprofessional conduct and unethical behavior.

ANTICIPATED SCHEDULE: Fall/Winter 2015/2016

AFFECTED PARTIES: Citizens and licensees of the State of Maine

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

# NEW RULE CHAPTER 8: Rules/Regulations for Licensure of Osteopathic Physicians

PURPOSE: To protect the citizens of Maine, this chapter will clarify the statute for licensure and will describe the requirements established by the Board for the licensing and renewal of osteopathic physicians.

ANTICIPATED SCHEDULE: Fall/Winter 2015/2016

AFFECTED PARTIES: Citizens and licensees of the State of Maine

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

# NEW RULE CHAPTER 9: Citations/Costs/Fines

STATUTORY AUTHORITY: 32 MRS §§ 2562 & 2581

PURPOSE: This chapter lists the violations for which the Board may issue a citation and administrative fine, describes the licensee’s right to request a hearing and describes the time and manner in which the fine must be paid.

ANTICIPATED SCHEDULE: Fall/Winter 2015/2016

AFFECTED PARTIES: Citizens and licensees of the State of Maine

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

# AMEND RULE CHAPTER 10: Sexual Misconduct (joint w/Board of Licensure in Medicine)

STATUTORY AUTHORITY: 32 MRS §§ 2562 & 2581

PURPOSE: To clarify rules regarding sexual misconduct by physicians and physician assistants to protect the citizens of Maine.

ANTICIPATED SCHEDULE: Fall/Winter 2015/2016

AFFECTED PARTIES: Citizens and licensees of the State of Maine

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

# NEW RULE CHAPTER 11: Offer, Sale, Rental or Lease of Health-Related or Non-Health Related Goods

STATUTORY AUTHORITY: 32 MRS §§ 2562 & 2581

PURPOSE: To establish policy and guidelines regarding the offer, sale, rental or lease of health-related or non-health related goods by a physician or physician assistant.

ANTICIPATED SCHEDULE: Winter/Spring 2015/2016

AFFECTED PARTIES: Citizens and licensees of the State of Maine.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

# NEW RULE CHAPTER 12: Alternative Therapies

STATUTORY AUTHORITY: 32 MRS §§ 2562 & 2581

PURPOSE: To clarify the professional responsibilities of those osteopathic physicians who utilize alternative therapies in their treatment of patients.

ANTICIPATED SCHEDULE: Winter/Spring 2015/2016

AFFECTED PARTIES: Citizens and licensees of the State of Maine. CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

# NEW RULE CHAPTER 13: Disruptive Conduct

STATUTORY AUTHORITY: 32 MRS §§ 2562 & 2581

PURPOSE: To protect the citizens of the State of Maine

ANTICIPATED SCHEDULE: Winter/Spring 2015

AFFECTED PARTIES: Citizens and licensees of the State of Maine.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

# AMEND RULE CHAPTER 14: Continuing Medical Education *(amend existing rule)*

STATUTORY AUTHORITY: 32 MRS §§ 2562 & 2581

PURPOSE: To update and clarify the continuing medical education requirements for osteopathic physicians.

ANTICIPATED SCHEDULE: Winter/Spring 2015/2016

AFFECTED PARTIES: Citizens and licensees of the State of Maine.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

# REPEAL RULE CHAPTER 20: Medical Liability Demonstration Project – Anesthesiology Specialty Practice/Risk Protocol

STATUTORY AUTHORITY: 32 MRS §§ 2562 & 2581

PURPOSE: No longer applicable – this project ended some time ago.

ANTICIPATED SCHEDULE: Fall/Winter 2015/2016

AFFECTED PARTIES: Citizens and licensees of the State of Maine.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**AMEND CHAPTER 21**: Use of Controlled Substances for Treatment of Pain – Revision

STATUTORY BASIS: 32 MRS §§ 2562 & 2581

PURPOSE: To revise the current rule, joint with the Board of Licensure in Medicine, the Board of Dental Examiners, the Board of Nursing and the Board of Podiatric Medicine to ensure that the citizens of Maine receive adequate pain relief. A definition for ‘universal precautions’ will be proposed as part of this revision.

SCHEDULE FOR ADOPTION: Winter 2016/2017

AFFECTED PARTIES: Physicians, physician assistants and patients

CONSENSUS-BASED RULE DEVELOPMENT: N/A

# REPEAL RULE CHAPTER 22: Medical Liability Demonstration Project – Emergency Medicine Specialty Practice/Risk Protocol

STATUTORY AUTHORITY: 32 MRS §§ 2562 & 2581

PURPOSE: No longer applicable – this project ended some time ago

ANTICIPATED SCHEDULE: Fall/Winter 2015/2016

AFFECTED PARTIES: Citizens and licensees of the State of Maine.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

# REPEAL RULE CHAPTER 24: Medical Liability Demonstration Project – OB/GYN Specialty Practice/Risk Protocol

STATUTORY AUTHORITY: 32 MRS §§ 2562 & 2581

PURPOSE: No longer applicable – this project ended some time ago

ANTICIPATED SCHEDULE: Fall/Winter 2015/2016

AFFECTED PARTIES: Citizens and licensees of the State of Maine.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

# REPEAL RULE CHAPTER 26: Medical Liability Demonstration Project – Radiology Specialty Practice/Risk Protocol

STATUTORY AUTHORITY: 32 MRS §§ 2562 & 2581

PURPOSE: No longer applicable – this project ended some time ago

ANTICIPATED SCHEDULE: Fall/Winter 2015/2016

AFFECTED PARTIES: Citizens and licensees of the State of Maine.

CONSENSUS-BASED RULE DEVELOPMENT: N/A