**02-380**

**MAINE STATE BOARD OF NURSING**

2018 - 2019 Regulatory Agenda

August 1, 2018

*Amended March 5 and June 14, 2019*

AGENCY UMBRELLA-UNIT NUMBER: **02-380**

AGENCY NAME: **Maine State Board of Nursing**

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

**EXPECTED 2018-2019 RULE-MAKING ACTIVITY:**

**CHAPTER 3:** Rules Relating to General Requirements Relating to Licensure

STATUTORY AUTHORITY: 32 M.R.S. §2153-A(1)

PURPOSE:This chapter explains the procedure for change of name and/or address; policy and procedure in regard to a lost license; and verification of Maine licensure to another state or country. Proposed revisions to this chapter include updating the verification of licensure fee, and change of name and/or address language.

SCHEDULE FOR ADOPTION: In process; Anticipated completion fall 2018

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

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**CHAPTER 4:** Rules Relating to Disciplinary Action and Violations of Law

STATUTORY AUTHORITY: 32 M.R.S. §§ 2105-A, 2153-A(1)

PURPOSE: This chapter lists the legal grounds for action against a license; explains the procedure for initiating disciplinary action; describes disciplinary proceedings and sanctions; states the authority of the Administrative Court, following a formal hearing, to revoke or suspend a licensee; lists the violations of law over which the District Court and the Superior Court shall have jurisdiction for prosecution; and defines unprofessional conduct. Proposed revisions to this chapter include amending disciplinary process by further defining Fraud and Deceit and addressing multi-state licensure.

SCHEDULE FOR ADOPTION: Anticipated completion 2019

AFFECTED PARTIES: Licensed Nurses

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

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**CHAPTER 5:** Regulations Relating to Training Programs and Delegation by Registered Professional Nurses of Selected Nursing Tasks to Certified Nursing Assistants

STATUTORY AUTHORITY: 32 M.R.S. §§ 2102, 2104 and 2153

PURPOSE: This chapter defines delegation; states the responsibilities of a registered professional nurse in delegating selected nursing tasks to certified nursing assistants; sets forth the requirements relating to training programs; and states the criteria for listing on the MAINE REGISTRY OF CERTIFIED NURSING ASSISTANTS. Proposed changes to this chapter include updating regulations relating to training programs and delegation of selected nursing tasks.

SCHEDULE FOR ADOPTION: In process, anticipated completion 2018

AFFECTED PARTIES: Licensed Nurses, Certified Nursing Assistants

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

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**CHAPTER 6:** Regulations Relating to Coordination and Oversight of Patient Care Services by Unlicensed Health Care Assistive Personnel

STATUTORY AUTHORITY: 32 M.R.S. §§ 2102(2)(H), 2153-A(1)

PURPOSE: This chapter sets forth regulations governing coordination and oversight by registered professional nurses of patient care services provided by unlicensed health care assistive personnel. Proposed changes to this chapter include clarifying coordination and oversight.

SCHEDULE FOR ADOPTION: Anticipated completion 2019

AFFECTED PARTIES: Licensed Nurses, Unlicensed Assistive Personnel

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

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**CHAPTER 7:** Standards for Educational Programs in Nursing

STATUTORY AUTHORITY: 32 M.R.S. §§ 2104(1)(B), 2153-A(1)

PURPOSE: This chapter serves as a basic guide to the minimum legal requirements for approval of educational programs in nursing by the Board of Nursing; provides information and guidance for administrators and faculty, and for all persons concerned with the establishment, development and implementation of educational programs in nursing; and provides criteria for self-appraisal by faculty and serves as a basis for continued program improvement. Proposed changes to this chapter includes more substantive language on establishing and approval of educational programs in nursing; clarifying definition of nursing faculty; and updating curriculum in nursing programs.

SCHEDULE FOR ADOPTION: in process; anticipated completion December 2018

AFFECTED PARTIES: Nursing Education Programs

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

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**CHAPTER 8:** Rules Relating to Advanced Practice Registered Nursing

STATUTORY AUTHORITY: 32 M.R.S. §§ 2102(2-A), 2210

PURPOSE: This chapter identifies the role of a registered professional nurse in advanced practice registered nursing; implements the Board's authority to approve the credentials for practice as a certified nurse practitioner, certified nurse-midwife, certified registered nurse anesthetist, and certified clinical nurse specialist; delineates the scope of practice; and implements the Board's authority to grant prescriptive authority. Proposed revisions to this chapter include updating language for scope of practice.

SCHEDULE FOR ADOPTION: Anticipated completion 2019

AFFECTED PARTIES: Advanced Practice Registered Nurses

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON FOR THIS CHAPTER: Virginia deLorimier, Assistant Executive Director, 158 State House Station, Augusta, ME 04333-0158; (207) 287-1147; [Virginia.E.deLorimier@Maine.gov](mailto:Virginia.E.deLorimier@Maine.gov).

**CHAPTER 10:** Regulations Relating to Administration of Intravenous Therapy by Licensed Nurses

STATUTORY AUTHORITY: 32 M.R.S. §2153-A(1)

PURPOSE: This chapter identifies the roles of licensed nurses in the administration of intravenous therapy. It also includes the approved course outlines for the administration of intravenous therapy by the licensed practical nurse, who works with the adult and/or pediatric patient. Proposed changes to this chapter include clarifying and updating standards of current practice in intravenous therapy and clarifying requirements for course approval.

SCHEDULE FOR ADOPTION: Anticipated completion 2019

AFFECTED PARTIES: Licensed Nurses

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

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**CHAPTER 11:** Regulations Relating to the Nurse Licensure Compact

STATUTORY AUTHORITY: 10 M.R.S. §8003 sub-§5(F); PL 258, 2017; 32 M.R.S. §2153-A(1)

PURPOSE: This chapter is superseded by Sec. A-1. 32 M.R.S. c. 31 sub-c. 2-A, also entitled Nurse Licensure Compact, adopted into law on June 25, 2017.

SCHEDULE FOR ADOPTION: In process; Anticipated completion 2019.

AFFECTED PARTIES: Licensed Nurses

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

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**CHAPTER 12:** Joint Rule Regarding Office Based Medication-Assisted Treatment of Opioid Addiction with Buprenorphine

STATUTORY BASIS: 32 M.R.S. §3269(3)(7)

PURPOSE: The proposed joint rule with the Board of Osteopathic Licensure and the Board of Licensure in Medicine will establish standards to ensure safe and adequate medication-assisted treatment of opioid addiction with buprenorphine in an office based setting.

SCHEDULE FOR ADOPTION: Anticipated completion 2019

AFFECTED PARTIES: Advanced Practice Registered Nurses with prescriptive authority and patients

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

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*Added March 5, 2019*

**CHAPTER 21**: Use of Controlled Substances for Treatment of Pain

STATUTORY BASIS: 32 M.R.S. §§ 2102(2-A), 2153-A(1), 2210

PURPOSE: This chapter is a joint rule with the Board of Osteopathic Licensure, the Board of Licensure in Medicine and the Board of Nursing to insure adequate relief of pain to the citizens of Maine. The Board may propose revisions to the rule to create exemptions for applicability of certain portions of the rule for inpatients of medical facilities or custodial care facilities where controlled substances are dispensed or administered to the patient.

SCHEDULE FOR ADOPTION: 2019

AFFECTED PARTIES: Advanced Practice Registered Nurses with prescriptive authority and patients

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

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