**02-502**

Office of Professional and Occupational Regulation

**BOARD OF COMPLEMENTARY HEALTH CARE PROVIDERS**

2025– 2026 Regulatory Agenda

AGENCY UMBRELLA-UNIT NUMBER: **02-502**

AGENCY NAME: Department of Professional & Financial Regulation, Office of Professional and Occupational Regulation, **Board of Complementary Health Care Providers**

CONTACT INFORMATION for thE agency **RULEMAKING LIAISON**: Penny Vaillancourt, Director, OPOR, 35 State House Station, Augusta, ME 04333, 207-441-7153, penny.vaillancourt@maine.gov

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

**EXPECTED 2025-2026 RULE-MAKING ACTIVITY:**

Expected rulemaking to amend the formulary for naturopathic practice pursuant to P.L. 2025, c. 314.

Expected rulemaking will be to implement legislation governing licensure by endorsement and provisional licensure and telehealth services. A review for conformance with statutes and current rules will be conducted and updated as may be necessary, including an update to discontinue the use of the terms “handicap,” “handicapped” and “hearing impaired” pursuant to 36 M.R.S. § 2557, sub-§2.

The Board may adopt rules to implement legislation for licensing auricular acupuncture detoxification specialists, which will include at a minimum, requirements for licensure and approved training. The Board may consider overall rule updates, errors, and omissions as may be necessary. The Board may also consider updating the rule on prescribing noncontrolled legend drugs by naturopathic doctors in accordance with 32 M.R.S. § 12522 and standards for collaborative relationships between a licensed allopathic or osteopathic physician and a naturopathic doctor.

The Board may review and update rules for the licensing of naturopathic doctors, naturopathic doctors certified in acupuncture, acupuncturists, professional midwives and rules, including but not limited to, requirements for initial and renewal licensure, continuing professional education, standards for the practice of midwives, drug formulary, informed consent documentation, preexisting conditions that render a pregnancy ineligible for out-of-hospital birth, and rules on data collection and reporting for a licensed midwife.

**CHAPTER 1: Definitions**

STATUTORY BASIS: 32 M.R.S. § 12503

PURPOSE: The chapter defines and clarifies terms used throughout the Board’s rules. The Board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**CHAPTER 2: Advisory Rulings**

STATUTORY BASIS: 32 M.R.S. § 12503

PURPOSE: The chapter sets forth procedures for the issuance of advisory rulings by the Board. The Board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**CHAPTER 3: Licensure Requirement for Acupuncturists**

STATUTORY BASIS: 32 M.R.S. §§ 12503 (B) and (D), 12512

PURPOSE: The chapter establishes requirements for issuance of a license to practice acupuncture, including application, education, experience, and references. The Board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: License applicants

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**CHAPTER 3-A: Certification for the Formulation and Dispensing of Custom-Made Chinese Herbal Formulations**

STATUTORY BASIS: 32 M.R.S. § 12513-A(3)

PURPOSE: The chapter establishes requirements for the certification of licensed acupuncturists to formulate and dispense custom-made Chinese herbal formulations. The Board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: License applicants

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**CHAPTER 4: Licensure Requirement for Naturopathic Doctors**

STATUTORY BASIS: 32 M.R.S. § 12525

PURPOSE: The chapter establishes requirements for issuance of a license to practice naturopathy, including application, education, experience, and references. The Board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: License applicants

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**CHAPTER 4-A: Licensure Requirement for Certified Professional Midwives**

STATUTORY BASIS: 32 M.R.S. §§ 12533, 12538

PURPOSE: This chapter states the requirements for issuance of a license to practice midwifery, including application and educational experience.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: License applicants

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**CHAPTER 4-B: Licensure Requirement for Certified Midwives**

STATUTORY BASIS: 32 M.R.S. §§ 12534, 12538

PURPOSE: This chapter states the requirements for issuance of a license to practice midwifery, including application, educational experience and references.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: License applicants

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**CHAPTER 5: Standards for Continuing Professional Education for Acupuncturists, Naturopathic Doctors, Certified Professional Midwives and Certified Midwives**

STATUTORY BASIS: 32 M.R.S. § 12526

PURPOSE: The chapter states the requirements for continuing education as required for acupuncturists, naturopathic doctors, Certified Professional Midwives and Certified Midwives. The Board may need to amend this chapter to conform to rules adopted by the Office of Professional and Occupational Regulation on substantiation of continuing education by licensed practitioners.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**CHAPTER 6: Standards Relating to Prescriptive Authorities and Collaborative Relationships**

STATUTORY BASIS: 32 M.R.S. §§ 12503(1)(A) and (B), 12506

PURPOSE: The board will be reviewing and updating the formulary listing in this chapter may be subject to updates and/or revisions based on federal or state standards with regard to noncontrolled legend drugs, pursuant to P.L. 2025, c. 150. Rules adopted pursuant to 32 M.R.S. § 12522(4) are major substantive rules.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**Chapter 6-A: Standards Relating to Certified Professional Midwives Authority to Obtain and Administer Drugs, Medical Devices, and Scope of Practice**

STATUTORY BASIS: 32 M.R.S. §§ 12503, 12535(3), 12535(4), 12535(5)

PURPOSE: Describes standards by which a certified professional midwife may obtain and administer certain drugs, the authorized certified professional midwife scope of practice and establishes the circumstances under which they shall recommend and facilitate modification of the care relationship.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**Chapter 6-B: Standards Relating to Certified Professional Midwives’ Prescriptive Authority and Scope of Practice**

STATUTORY BASIS: 32 M.R.S. §§ 12503, 12537(2), (3), (4) and (5)

PURPOSE: Describes standards by which a certified midwife may prescribe, obtain and administer drugs and medical devices.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**CHAPTER 7: Grounds for Discipline**

STATUTORY BASIS: 32 M.R.S. § 12503

PURPOSE: The chapter references the statutory grounds for discipline and includes examples of prohibited conduct. The Board may review this chapter for conformance with current statutes and make changes as needed.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**CHAPTER 8: Code of Ethics**

STATUTORY BASIS: 32 M.R.S. § 12503(B)

PURPOSE: The chapter establishes standards of professional practice in the practice of acupuncture and naturopathic medicine. The Board may review this chapter and make changes to reflect current practice expectations for the protection of the public being served.

SCHEDULE FOR ADOPTION: Within one year, if necessary

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**CHAPTER NUMBER AND TITLE: N/A**

STATUTORY BASIS: 32 M.R.S. § 12611.

PURPOSE: To adopt rules to establish standards of practice and appropriate restrictions for the various types and forms of telehealth services.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER NUMBER and Title: N/A**

STATUTORY BASIS: 10 M.R.S. § 8003-H, § 8003-5-A(D)(7)

PURPOSE: The Board may adopt rules to establish a process to issue a license by endorsement or to grant provisional licenses to applicants from other jurisdictions.

SCHEDULE FOR ADOPTION: Within the year.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A