

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 948

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S.P. 343

In Senate, March 21, 1995

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**An Act to Provide Greater Access to Health Care.**

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Reference to the Committee on Human Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS  
Secretary of the Senate

Presented by Senator GOLDTHWAIT of Hancock.  
Cosponsored by Senator McCORMICK of Kennebec and  
Senators: BENOIT of Franklin, MILLS of Somerset, O'DEA of Penobscot, PARADIS of  
Aroostook, RAND of Cumberland, Representatives: CAMERON of Rumford, ETNIER of  
Harpwell, KILKELLY of Wiscasset, PINKHAM of Lamoine, TOWNSEND of Portland,  
TREAT of Gardiner, WATSON of Farmingdale.

Be it enacted by the People of the State of Maine as follows:

2           **Sec. 1. 3 MRSA §927, sub-§4, ¶B**, as amended by PL 1993, c. 92,  
4 §2, is further amended to read:

6           B. Independent agency:

8                   (6) State Planning Office; and

10                   (8) Joint Practice Council on Advanced Practice  
12                   Registered Nurses.

14           **Sec. 2. 5 MRSA §12004-I, sub-§72-C** is enacted to read:

16	<u>72-C.</u>	<u>Joint</u>	<u>Discretion</u>	<u>32 MRSA</u>
17	<u>Occupations:</u>	<u>Practice</u>	<u>of Appoint-</u>	<u>§2102</u>
18	<u>Registered</u>	<u>Council on</u>	<u>ing Agency</u>	
19	<u>Nurse</u>	<u>Advanced</u>		
20	<u>Practitioners</u>	<u>Practice</u>		
		<u>Registered</u>		
		<u>Nurses</u>		

22           **Sec. 3. 32 MRSA §2102, sub-§2, ¶B**, as amended by PL 1993, c.  
24 600, Pt. A, §110, is repealed.

26           **Sec. 4. 32 MRSA §2102, sub-§10** is enacted to read:

28           10. Advanced practice registered nurse. An "advanced  
30 practice registered nurse" is a registered professional nurse  
32 who, on the basis of advanced, specialized education and  
34 certification credentials, is prepared to provide health care  
36 services. The practice builds on previous knowledge and skill  
38 and utilizes in-depth knowledge of physical assessment and  
40 management of illnesses or conditions within the advanced  
42 practice registered nurse's area of practice. "Advanced practice  
44 registered nurse" includes a certified nurse practitioner, a  
46 certified nurse midwife, a certified psychiatric clinical nurse  
48 specialist, a certified clinical nurse specialist and a certified  
50 nurse anesthetist who are approved by the board.

42           A. An advanced practice registered nurse must:

44                   (1) Hold a current license to practice as a registered  
46 professional nurse in this State;

48                   (2) Have completed a formal education program in  
50 advanced nursing or nurse midwifery, or both, in the  
52 speciality area of practice that is acceptable to the  
board; and

                  (3) Hold a current certification credential for  
advanced nursing practice from a national certifying

2           body whose certification program is acceptable to the  
3           board.

4           The board shall adopt rules defining the appropriate  
5           standards of practice and requirements for authorization to  
6           practice under this subsection.

7           A registered nurse approved and licensed to practice, in  
8           accordance with former section 2102, subsection 2, paragraph  
9           B, prior to the effective date of this subsection is deemed  
10           approved as an advanced practice registered nurse.

11           B. A person who qualifies under this subsection and whose  
12           application for advanced practice registered nurse  
13           designation has been approved by the board is designated an  
14           advanced practice registered nurse. "A.P.R.N." is the  
15           abbreviation for the title of "advanced practice registered  
16           nurse." The approved applicant may use the title "A.P.R.N."  
17           and the title or abbreviation designated by the national  
18           certifying body.

19           C. Temporary approval to practice as an advanced practice  
20           registered nurse may be granted by the board:

21                   (1) For a period of 90 days to an applicant who is  
22                   currently approved to practice as an advanced practice  
23                   registered nurse in another jurisdiction with  
24                   requirements at least equivalent to those of this  
25                   State; or

26                   (2) To an applicant who meets the requirements of  
27                   paragraph A, subparagraphs (1) and (2) and who  
28                   qualifies for and takes the next available  
29                   certification exam.

30           D. Advanced practice registered nurse designation may be  
31           terminated by the board when the advanced practice  
32           registered nurse no longer holds a current certification  
33           credential.

34           E. A certified nurse practitioner and a certified nurse  
35           midwife approved by the board may prescribed drugs or  
36           devices, or both. The board shall issue rules governing the  
37           prescription of drugs or devices, or both, by a certified  
38           nurse practitioner and a certified nurse midwife approved by  
39           the board. In adopting the rules, the board shall invite  
40           comment from the Joint Practice Council on Advanced Practice  
41           Registered Nurses.

2 F. The Joint Practice Council on Advanced Practice  
3 Registered Nurses, referred to in this subsection as the  
4 "council," is established.

6 (1) The Joint Practice Council on Advanced Practice  
7 Registered Nurses consists of 4 members, including 2  
8 members from the State Board of Nursing, one member  
9 from the Board of Licensure in Medicine and one member  
10 from the Board of Osteopathic Licensure. Each board  
11 shall appoint its representatives to serve terms at the  
12 discretion of the appointing board. In adopting rules  
13 of the council, members must be guided by the best  
14 interests of the general public and not the interests  
15 of their own professions.

16 The State Board of Nursing shall designate one of its  
17 appointees as the first chair of the council, who shall  
18 call the first meeting of the council. The position of  
19 chair must be rotated among members at intervals  
20 determined by the council.

22 (2) The council shall make recommendations to the  
23 appropriate boards on matters of mutual concern. The  
24 duties of the council are advisory in nature.

26  
27 **STATEMENT OF FACT**

28  
29 This bill allows certain registered nurses to be designated  
30 as advanced practice registered nurses authorized to prescribe  
31 certain drugs and devices.

32  
33 This bill also establishes the Joint Practice Council on  
34 Advanced Practice Registered Nurses.