

MAINE STATE LEGISLATURE

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New Draft of: S. P. 768, L. D. 2199
FIRST SPECIAL SESSION

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 2551

S. P. 922

In Senate, March 4, 1974

Reported by 6 members from the Committee on Judiciary in Report "A"
and printed under Joint Rules No. 18.

HARRY N. STARBRANCH, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FOUR

AN ACT Relating to Delegation of Selected Services by Professional Nurses.

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

Sec. 1. R. S., T. 32, § 2102, sub-§ 2, ¶ F, additional. Subsection 2 of section 2102 of Title 32 of the Revised Statutes, as amended by chapter 495 of the public laws of 1973, is further amended by adding a new paragraph F to read as follows:

F. Delegation of selected nursing services to unlicensed personnel when such personnel have received appropriate training and instruction and such programs of training and instruction have been approved by the board. Delegation of such services shall not require the personal presence of the delegating professional nurse at the place where such services are performed, unless such personal presence is necessary to provide patient care of the same quality as provided by the professional nurse. The board shall issue such rules and regulations concerning delegation as it deems necessary to insure the highest quality of health care to the patient.

Sec. 2. R. S., T. 32, § 2258-A, amended. Section 2258-A of Title 32 of the Revised Statutes, as enacted by chapter 535 of the public laws of 1973, is amended to read as follows:

§ 2258-A. Administration of medication

Any employee of any institution under the control of the Department of Mental Health and Corrections or of an institution licensed by the State as a hospital, nursing home, extended care facility or boarding home who, in the

exercise of due care, is authorized by the head of such institution or his designee to perform selected activities in the administration of medications and any person who, in the exercise of due care, is delegated such functions by a licensed allopathic or osteopathic physician shall be immune from criminal prosecution and civil liability for any such administration of medication prior to ~~the effective date of this Act~~ **June 20, 1973** and until July 1, ~~1974~~ **1975**, but not thereafter.