

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 375

S. P. 107

In Senate, January 23, 1975

Referred to the Committee on State Government. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Clifford of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

**AN ACT to Provide for a Licensed Practical Nurse on the
State Board of Nursing.**

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

Sec. 1. 32 MRSA, § 2151 is repealed and the following enacted in place thereof:

§ 2151. Appointment; term; removal

A State Board of Nursing, as heretofore created, shall consist of 6 members who shall be appointed by the Governor with the advice and consent of the Council. Five members of the board shall be professional nurses and one shall be a licensed practical nurse. One member of the board shall also be active in nursing education at the time of appointment. Except to fill vacancies in unexpired terms, all appointments shall be for terms of 5 years after such appointment or until their successors have been duly appointed and qualified. No person shall be eligible for more than one reappointment.

Each appointment shall be made from a list of 3 candidates, qualified as provided, selected by the board of directors of the Maine State Nurses' Association in the case of professional nurses, and by the board of directors of the Maine Licensed Practical Nurses' Association in the case of licensed practical nurses. Lists of candidates shall be submitted to the Governor not less than 60 days before the time of appointment. Any vacancy occurring on the board shall be filled for the unexpired term by appointment to be made by the Governor from like nominations submitted by the appropriate nurses' association in the manner aforesaid. If nominations are not submitted within 60 days after a vacancy occurs, the Governor may appoint any person meeting the prescribed qualifications for the position vacant.

The Governor may remove any member from the board for cause with the advice and consent of the Council.

Sec. 2. 32 MRSA, § 2152 is repealed and the following enacted in place thereof:

§ 2152. Qualifications

Each member of the board shall be a citizen of the United States, a resident of this State and shall file with the Secretary of State an oath of office before beginning his or her term of office.

1. Professional Nurses. Of the 5 members who shall be professional nurses, 3 shall possess the following qualifications:

A. Professional nursing program. Graduation from a basic professional nursing program accredited by the state agency having the power to accredit such schools in the State in which the program was conducted;

B. College. Graduation from a recognized college or university, with at least a baccalaureate degree, with either a major in the field of nursing or with a major in education with advanced courses in nursing;

C. Status. The status of professional nurse licensed to practice in Maine;

D. Experience. At least 5 years' successful experience since graduation in administration or teaching in an educational program to prepare practitioners of nursing;

E. Practice. Three years in the active practice of professional nursing immediately preceding appointment.

Two members shall qualify under paragraphs A, C and E.

2. Licensed practical nurse. The member who shall be a licensed practical nurse shall possess the following qualifications:

A. Status. The status of practical nurse licensed to practice in Maine;

B. Practice. Three years in the active practice of practical nursing immediately preceding appointment.

Sec. 3. 32 MRSA, § 2154 is amended to read:

§ 2154. Qualifications of executive employee

The executive director shall meet all the qualifications for ~~board members~~ professional nurses required in section 2152 and shall, in addition, hold a master's degree from a recognized college or university with an educational preparation which shall have included courses in administration and teaching in schools of nursing.

Sec. 4. Transitional provisions. The positions and terms of current members of the State Board of Nursing shall not be affected by this Act.

STATEMENT OF FACT

This bill provides for a licensed practical nurse to be a member of the State Board of Nursing. The State Board of Nursing is charged with examining, licensing and renewing the licenses of both registered nurses and practical nurses, but currently only registered nurses can be members of the board. Licensed practical nurses represent nearly one-third of the 12,500 nurses licensed to practice in Maine.