

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1860

S. P. 504

In Senate, April 25, 1975

Reported by Senator Graham of Cumberland from Committee on State Government and printed under Joint Rules No. 18.

HARRY N. STARBRANCH, Secretary

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Sec. 1. 32 MRSA § 2151 is repealed and the following enacted in place thereof: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, one of whom shall be active in practical nurse education or in a school of practical nursing at the time of appointment. One member shall be a licensed practical nurse. Except to fill vacancies in unexpired terms, all appointments shall be for a term 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 of a professional nurse shall be made from a list of 3 candidates, qualified as provided, selected by the Board of Directors of the Maine State Nurses' Association and submitted to the Governor not less than 60 days before the time of appointment. Any professional nurse 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 Maine State Nurses' Association in the manner aforesaid.

Each appointment of a practical nurse shall be made from a list of 3 candidates, qualified as provided, selected by the Board of Directors of the
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Maine Licensed Practical Nurses' Association and submitted to the Governor not less than 60 days before the time of appointment. Any practical nurse vacancy occurring on the board shall be filled for the unexpired term by appointment to be made by the Governor from like nomination submitted by the Maine Licensed Practical Nurses' Association in the manner aforesaid.

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Sec. 2. 32 MRSA § 2152 is repealed and the following enacted in place thereof: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 professional nurse members, 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 professional nurse members shall qualify under paragraphs A, C and E.

2. Licensed practical nurse. The licensed practical nurse member 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 professional nurse board members 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 teach-

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.