

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1183

S. P. 358

In Senate, March 28, 1977

Referred to the Committee on Health and Institutional Services. Sent down for concurrence and ordered printed.

MAY M. ROSS, Secretary

Presented by Senator Snowe of Androscoggin.

Cosponsors: Senator Merrill of Cumberland, Senator Pierce of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Clarify the Definition of Professional Nursing and Practical
Nursing.

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

Sec. 1. 32 MRSA § 2102, sub-§ 2, as last amended by PL 1973, c. 788, § 155, is repealed and the following enacted in its place:

2. Professional nursing. The practice of "professional nursing" means the application of specialized knowledge, judgment and skill, as derived from the study of biological, physical and behavioral sciences required for licensure under subchapter III in the performance, for compensation, of acts which are recognized by the nursing profession as proper to be performed by a registered professional nurse including but not limited to:

A. The application of such specialized knowledge, judgment and skill in the observation, assessment, care, treatment, counsel and health teaching of persons who are experiencing normal developmental changes or who require assistance in the maintenance of health or the management of health or the management of illness, injury or infirmity;

B. Collaboration with licensed physicians, dentists and other health care providers in establishing and implementing a plan of health care;

C. Delegation of selected nursing services to licensed practical nurses or unlicensed personnel when such unlicensed 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 meet the patient's needs. 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;

D. Supervision and teaching of licensed nursing personnel and nursing assistants;

E. Administration and management of organized nursing services and nursing education programs;

F. Administration of medications and treatment as prescribed by a legally authorized person.

Sec. 2. 32 MRSA § 2102, sub-§ 3, as repealed and replaced by PL 1967, c. 263, § 2, is repealed and the following enacted in its place:

3. Practical nursing. The practice of "practical nursing" means the performance, for compensation, of acts which are recognized by the nursing profession as proper to be performed by a licensed practical nurse. These include, but are not limited to, the following:

A. Observing and caring for the ill, injured or infirm;

B. Promoting preventive measures in health;

C. Acting to safeguard life and health;

D. Administering of medications and treatment as prescribed by a legally authorized person.

STATEMENT OF FACT

The purpose of this bill is to change the definition of professional nursing and practical nursing to accurately reflect the expanding role of the nursing profession in providing health care services.