

MAINE STATE LEGISLATURE

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(Governor's Bill)
SECOND REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1751

H. P. 1642

House of Representatives, January 2, 1980

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk of the House

Presented by Mr. Silsby of Ellsworth.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

**AN ACT to Eliminate the Requirement for Certain Adjudicatory Proceedings
before the Board of Registration in Medicine.**

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

Sec. 1. 32 MRSA § 3282, first sentence, as amended by PL 1977, c. 694, § 610, is repealed and the following enacted in its place:

The Administrative Court Judge may revoke or suspend a license, or may place a licensee on probation for a certain period of time during which the licensee shall file periodic affidavits of his practice in accordance with the standards set by the court, or may censure the licensee, and the board may refuse to renew a license for any of the following causes:

Sec. 2. 32 MRSA § 3283, as repealed and replaced by PL 1977, c. 694, § 611, is repealed and the following enacted in its place:

§ 3283. Disciplinary action

The board, on its own motion or upon complaint made to it or its secretary, shall order investigation of all complaints and all allegations of noncompliance with or violations of this chapter relating to physicians and surgeons. Upon completion of investigation by the secretary, the board's legal counsel or their agents, all information shall be presented to the board.

STATEMENT OF FACT

The present statute requires that, before a license of a physician or surgeon may be suspended or revoked, 2 adjudicatory proceedings be held - one before the Board of Registration in Medicine and one before the Administrative Court. This bill would eliminate the requirement of an adjudicatory proceeding before the board. It would also eliminate the power of the board to place a licensee on probation or to formally censure a licensee.