

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1324

H.P. 956

House of Representatives, April 24, 1989

Reported by Representative Boutilier for the Commission to Study the Status of Nursing Professions in Maine pursuant to Resolve 1987, chapter 106.

Reference to the Joint Standing Committee on Human Resources suggested and printing ordered under Joint Rule 18.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

An Act Relating to the Status of Nursing Professions in Maine.



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

3 **Sec. 1. 20-A MRSA c. 430-A is enacted to read:**

5 CHAPTER 430-A

7 MAINE CHOICE PROGRAM

9 §12651. Maine Choice Program

11 There is established the Maine Choice Program to recognize
13 Maine secondary school graduates who show strong academic ability
15 and to provide financial assistance for post-secondary education
17 of secondary school students. The program shall recognize
19 secondary school students and post-secondary students enrolled in
21 programs in health care subject areas who demonstrate academic
23 ability to complete the program, and shall disburse interest-free
25 loans as described in section 12653. The commissioner shall
27 administer the program.

21 §12652. Maine Choice Scholars

23 Each year graduating secondary school students and
25 individuals enrolled in post-secondary education programs who
27 show evidence of academic achievement may be nominated or may
29 apply for recognition as Maine Choice Scholars. Nominations and
31 applications shall be submitted to the commissioner at a time and
33 in a format to be determined by rule of the commissioner. The
35 commissioner shall determine the finalists.

31 The Governor shall announce the names of those individuals
33 who are recognized as Maine Choice Scholars.

33 §12653. Allocation of funds

35 1. Loans. Pursuant to rules adopted under section 12658,
37 the commissioner may grant to students recognized under section
39 12652 interest-free loans for post-secondary education of up to
41 \$2,500 per academic year. The loans shall be made from the fund
43 established in section 12657. The loans may not exceed a total
45 of \$12,500 per student for post-secondary education. Loans shall
47 be for one academic year and shall be automatically renewed if
49 the recipient maintains a grade point average of 2.5 based on a
4.0 grade point system or a passing grade in courses based on a
pass-fail grading system. Students whose instruction does not
fall within a strict semester structure shall be eligible for a
maximum of \$12,500 in loans for their post-secondary education
based on loan disbursement guidelines promulgated by the
commissioner.

1 §12654. Eligibility requirements

3 1. Eligibility for post-secondary education loans.
4 Post-secondary education loans shall be given only to secondary
5 school graduates who are residents of Maine, who have been
6 recognized as Maine Choice Scholars and who have met other
7 eligibility criteria established by rule of the commissioner.
8 Preference shall be given to students enrolled in a health care
9 program which has been determined to be in an underserved health
10 care region or subject area. For the purpose of this chapter,
11 "underserved health care region or subject area" means a
12 geographic area underserved by health care professionals, an
13 underserved health care specialty subject area, a population
14 group underserved by health care professionals or any combination
15 of these in the State.

17 Underserved health care subject areas shall include any
18 undergraduate work that may be required to complete an advanced
19 degree in an underserved health care specialty subject area.

21 2. Determination of underserved health care regions or
22 subject areas. The commissioner, the Director of the State
23 Development Office, the Department of Human Services, the
24 Department of Labor and a representative from the Maine Health
25 Policy Advisory Council shall make a determination of underserved
26 health care regions and subject areas by considering the
27 following:

29 A. Statistics on current employment patterns detailing the
30 level of qualified applicants for health care positions
31 available in underserved regions or subject areas;

33 B. Numbers of students currently enrolled in programs
34 leading to health care professions; and

35 C. Projected need for health care professionals within the
36 State within the next 5 to 10 years and other criteria
37 deemed necessary by the commissioner.

39 3. Change of status. If a loan recipient is enrolled in a
40 program which was determined to be in an underserved health care
41 region or subject area and the program is later determined under
42 subsection 2 not to be underserved, the eligibility of that
43 recipient for loans pursuant to this chapter shall not be
44 affected, except when a recipient discontinues enrollment in the
45 program prior to completing the program and reenrolls at a time
46 when the health care region or subject area is no longer
47 underserved.

49 §12655. Payment provisions

51 Payment of loans granted under section 12653 shall be made
52 each semester to the institution in which the loan recipient is
53 enrolled for credit to the recipient's account. Payment shall be
54 made within 60 days following receipt of evidence by the
55

1 commissioner that the loan recipient has become enrolled at the
2 post-secondary educational institution.

3
4 If a loan recipient withdraws from an institution and is
5 entitled to a refund of tuition, fees or other charges, the
6 institution shall pay to the State from that refund a sum equal
7 to the portion of the loan paid to the student for the portion of
8 the academic year that the student did not complete. That refund
9 shall be credited to the fund established in section 12657.

11 **§12656. Repayment provisions**

13 1. Forgiveness of loan. Each recipient of a loan granted
14 under section 12653 shall be relieved of the obligation to repay
15 the loan by completing 4 years of employment in the State in the
16 health care profession in which the recipient is educated. This
17 employment shall be completed within 5 years of the recipient's
18 graduation from the post-secondary educational institution.
19 Failure to fulfill the requirements of this subsection shall
20 obligate the recipient to repay the loan to the State under the
21 terms of this section.

23 2. Time for repayment. The recipient of a loan granted
24 under section 12653 shall repay the loan to the State upon the
25 recipient's graduation or withdrawal from a post-secondary
26 educational institution according to a schedule established by
27 the commissioner. The total annual repayment shall be determined
28 by dividing the loan amount by the number of years the recipient
29 attended the post-secondary educational institution and requiring
30 the recipient to repay 1/4 of that amount each year until the
31 loan is repaid. Due dates for repayments shall be set by the
32 commissioner.

33
34 3. Deferment. A recipient of a loan granted under section
35 12653 may seek a deferment of the annual principal payments for a
36 period not to exceed 2 years. A request for deferment shall be
37 made to the commissioner who shall determine if the deferment
38 request is reasonable and shall grant the request upon making
39 that determination. The decision of the commissioner shall be
40 final.

41
42 4. Change of program. If a recipient who was enrolled in a
43 program in an underserved health care region or subject area
44 changes that course of study to a program not in an underserved
45 health care region or subject area, the recipient shall repay the
46 State for the total amount of loans received by that recipient in
47 the manner provided in subsections 2 and 3.

49 **§12657. Nonlapsing revolving fund**

51 A nonlapsing, interest-earning, revolving fund, known as the
52 Maine Choice Fund, is created to implement this chapter. Any

1 unexpended balance in the fund shall be carried over for
3 continued use under this chapter. Loan repayments under section
5 12656 shall be invested by the Treasurer of State, as provided by
7 law, with the earned income to be added to the fund. The
9 revolving fund may receive, invest and expend money from gifts,
11 grants, bequests and donations, in addition to money appropriated
13 by the State.

9 **§12658. Rules**

11 The commissioner shall adopt rules pursuant to the Maine
13 Administrative Procedure Act, Title 5, chapter 375, to implement
15 this chapter.

15 **Sec. 2. 20-A MRSA §12716, sub-§1,** as enacted by PL 1985, c.
17 695, §11, is amended to read:

17 **1. State scholarships.** The board of trustees shall develop
19 and administer a program of scholarships for institute students.
21 Awards shall be based on evidence of individual need and worth
23 qualifications.

23 Students selected to receive a scholarship shall fulfill the
25 following qualifications:

25 A. Show evidence of the qualifications necessary to
27 complete a course of study successfully and to become a
29 competent technical or craft worker in an industrial,
31 administrative or trade pursuit;

31 B. Show demonstrated ability and willingness to support the
33 expenses of education and training; and

33 C. Show demonstrated need of financial assistance to help
35 pay the cost of institute attendance.

37 **Sec. 3. 20-A MRSA, §12716, sub-§4** is enacted to read:

39 **4. Nursing ladder grants.** The board of trustees shall
41 develop and administer a program of scholarships for students
43 enrolled in certified nursing assistant programs as defined in
45 Title 32, section 2102, approved as career ladder programs under
section 12719. Within the limitations of available programs and
students who apply for scholarships, the board of trustees shall
provide a broad geographic representation in scholarship awards.

47 A. Students selected for scholarships shall, pursuant to
49 rules established by the board of trustees:

51 (1) Show an interest and capability to complete an
associate degree in nursing program;

1 (2) Demonstrate financial need; and

3 (3) Be accepted for employment by a nursing home as
5 defined in Title 22, sections 1812-A and 1812-B,
7 hospitals as defined in Title 22, section 382 or home
 health provider, as defined in Title 22, section 2142,
 in the State.

9 B. The scholarship shall include one of the following:

11 (1) For employees of nursing homes, the cost of
13 tuition and a stipend of up to \$400 in lieu of salary
15 when unpaid leave from work is taken to participate in
 a certified nursing assistant program approved under
 section 12719;

17 (2) For employees of home health agencies, the cost of
19 tuition and a stipend of up to \$400 for classroom
21 instruction and up to \$425 for clinical instruction,
23 when unpaid leave is taken to participate in a
 certified nursing assistant program approved under
 section 12719;

25 (3) For employees of hospitals, the cost of tuition
27 and a stipend of up to \$400 in lieu of salary when
29 unpaid leave from work is taken to participate in a
 certified nursing assistant program approved under
 section 12719; or

31 (4) For employees of nursing homes, hospitals or home
33 health agencies, the cost of administering a challenge
 examination.

35 Sec. 4. 20-A MRSA §12719 is enacted to read:

37 §12719. Certified nursing assistant education and career ladder
 program

39 1. Board of trustees. The board of trustees shall
41 encourage institutions of higher education to establish certified
43 nursing assistant education as defined in Title 32, section
45 2102, and career ladder programs that provide for the
47 coordination of certified nursing assistant programs and
49 associate degree in nursing programs so that students completing
51 certified nursing assistant programs may be granted advanced
 placement in associate degree in nursing programs if students
 elect to continue their education. The board of trustees shall
 encourage the establishment of uniform standards to permit the
 transfer of advanced placement credits from one institute to
 another.

53 2. Approved certified nursing assistant career ladder
 program. At the request of an institute, the State Board of

1 Nursing shall review any proposed or existing certified nursing
3 assistant program to be offered or offered by an educational
5 facility and determine if the program is one enabling students to
7 apply the credits earned toward the degree requirements for an
9 associate degree in nursing degree program. Such a program must
11 include an examination given by the post-secondary institution to
determine the advanced placement standing of students who
received their certificate as a nursing assistant from another
agency. The State Board of Nursing shall approve or disapprove
the certified nursing assistant program as being a career ladder
program meeting the requirements of this subsection.

13 3. Report. By March 1, 1990, the board of trustees shall
15 report to the joint standing committee of the Legislature having
17 jurisdiction over business legislation matters as to the progress
19 toward the establishment of certified nursing assistant career
ladder programs in the institutes and the effectiveness of the
scholarships offered under section 12716, subsection 4, in
attracting students into nursing.

21 **Sec. 5. 22 MRSA §256 is enacted to read:**

23 **§256. Health care occupations manual**

25 The Department of Labor shall compile a health care
27 occupations manual to be completed by September 1, 1990. If
29 after that date, the Board of Trustees of the University of Maine
31 System has established a center for research on the nursing
33 profession, the board shall have the responsibility for updating
the manual annually. If no center is established, the Department
of Labor shall update the manual annually. The manual shall
provide the following information:

35 1. Listing. A listing of all health care occupations;

37 2. Description. Brief description of each occupation;

39 3. Education. Minimum education requirements;

41 4. Training opportunities. Schools nationwide offering
training in various health care occupations;

43 5. Salary information. Average starting salary for each
45 occupation;

47 6. Licensing and certification. Licensing and
certification requirements for each occupation;

49 7. Cross training. Any opportunity for cross training;

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8. Future needs. Projected need for the next 5 years;

9. Refresher courses. Available refresher courses for any listed occupations; and

10. Financial aid. Financial aid available for training.

Sec. 6. 22 MRSA §396-D, sub-§9, ¶G, as enacted by PL 1987, c. 769, Pt. A, §65, is amended to read:

G. The Within 90 days of application by a hospital, the commission shall include an adjustment to financial requirements for increases in costs of compensation for professional medical personnel, including nurses and certified nurses aides,---to---the---extent---that---a. The commission shall include adjustments for increases in the cost of any fringe benefits that hospitals make available to nurses and other medical professionals to enhance their retention and recruitment efforts. The commission shall also include adjustments for compensation for additional housekeepers, dietary, clerical staff and other personnel who would relieve nurses and other medical professionals of responsibility for tasks that do not require their particular skills. A hospital must demonstrates demonstrate that such increases are reasonably necessary to retain or recruit such personnel, that such increases are in excess of the increases attributable to the compensation proxy included in the economic trend factor, that the hospital has passed on the value of the compensation cost proxy in past years and that the hospital will experience economic hardship without additional funds. Economic hardship means an excess of noncapital operating expenses over noncapital financial requirements. In determining this adjustment, the commission shall consider the current labor market conditions affecting the hospital and the hospital's compensation rates in relation to those of other similarly situated hospitals. Those adjustments may be made during the course of a payment year.

Sec. 7. 22 MRSA §2142 sub-§3, as amended by PL 1985, c. 189, §1, is further amended to read:

3. Home health care provider. "Home health care provider" means any business entity or subdivision thereof, whether public or private, proprietary or not for profit, which is engaged in providing acute, restorative, rehabilitative, maintenance, preventive or health promotion services through professional nursing or another therapeutic service, such as physical therapy, speech pathology, home health aides, nurse assistants, medical social work, nutritionist services or personal care services, either directly or through contractual agreement, in a client's

1 place of residence. This term does not apply to any sole
2 practitioner providing private duty nursing services or other
3 restorative, rehabilitative, maintenance, preventive or health
4 promotion services in a client's place of residence or to
5 municipal entities providing health promotion services in a
6 client's place of residence.

7
8 Home health care provider includes any business entity or
9 subdivision thereof that provides nurses to another organization
10 on a temporary basis.

11 **Sec. 8. 22 MRSA §2145, sub-§5** is enacted to read:

12
13 **5. Training.** Any agency providing nursing services to an
14 organization or agency must provide training which is comparable
15 to the in-service and staff development training required for the
16 organization or agency to which temporary staff are provided.

17
18 **Sec. 9. 22 MRSA §2150** is enacted to read:

19
20 **§2150. Compliance**

21
22 Any home health care provider that provides services for
23 which a license is required without obtaining a license commits a
24 civil violation and is subject to a civil penalty for which a
25 forfeiture of \$100 may be adjudged. Each day constitutes a
26 separate violation.

27
28 **Sec. 10. 26 MRSA §2157**, as enacted by PL 1987, c. 777, §3, is
29 amended to read:

30
31 **§2157. Payback loans**

32
33 **1. Plan established.** A government student loan payback
34 plan for ~~registered-nurses~~ health care workers, up to the amount
35 of funds appropriated by the Legislature for this purpose, is
36 established. Any nursing home, hospital or other health care
37 provider may pay for a ~~registered-nurse's~~ government student loan
38 used for ~~nurses'---training~~ education towards a health care
39 occupation and be reimbursed for amounts paid out for the loans
40 according to the methods set forth in subsection 2. Reimbursement
41 shall not exceed amounts equal to the number of
42 monthly payments of principal plus interest, based on a 10-year
43 term of the loan, which reflects the actual number of months of
44 employment at the institution.

45
46 **2. Methods of repayment.** Repayment of loans shall be as
47 follows.

48
49 **A.** The Department of Human Services, by rule promulgated in
50 accordance with the Maine Administrative Procedure Act,
51 Title 5, chapter 375, shall make the repayment of government

1 student loans for ~~registered-nurses~~ health care workers a
3 reimbursable cost up to the limits allowed by federal
regulation for other health care providers regulated by the
department.

5
7 B. Hospitals may participate in this plan on a voluntary
basis by paying back the government student loans as they
accrue on behalf of the participating ~~registered-nurses~~
9 health care workers while employed at the facilities.
Adjustments shall be made to the hospital's financial
11 requirements pursuant to Title 22, section 396-D.

13 C. Other health care providers may participate in this plan
on a voluntary basis by paying back the government student
15 loans as they accrue on behalf of the participating
~~registered-nurses~~ health care workers while employed at the
17 facilities. These health care providers shall be reimbursed
by the Department of Human Services. The Department of
19 Human Services shall adopt rules to provide for this
reimbursement.

21 D. Facilities which are at their financial cap and are
23 unable to participate in this plan on a voluntary basis may
apply for funds from the Department of Human Services.

25
27 **Sec. 11. 26 MRSA §2158**, as enacted by PL 1987, c. 777, §3, is
amended to read:

29 **§2158. Repeal**

31 This chapter is repealed 3 5 years after the effective date
of this section.

33
35 **Sec. 12. 32 MRSA §2102, sub-§2, ¶F**, as repealed and replaced by
PL 1985, c. 724, §2, is amended to read:

37 F. Administration of medications and treatment as
prescribed by a legally authorized person. Nothing in this
39 section may be construed as limiting the administration of
medication by licensed or unlicensed personnel as provided
41 in other laws; and

43 **Sec. 13. 32 MRSA §2102, sub-§2, ¶G**, as enacted by PL 1985, c.
724, §2, is amended to read:

45
47 G. Teaching activities of daily living to care providers
designated by the patient and family. ; and

49 **Sec. 14. 32 MRSA §2102, sub-§2, ¶H** is enacted to read:

51 H. Delegation of authority to licensed practical nurses to
supervise certified nursing assistants under their direction.

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Sec. 15. 32 MRSA §2102, sub-§9 is enacted to read:

9. Preceptorship. "Preceptorship" means the supervised period of transition between a nurse's graduation and licensure during which a novice nurse works as an intern with an experienced professional nurse.

Sec. 16. 32 MRSA §2104-A is enacted to read:

§2104-A. Preceptorship in acute care institution

A nurse who is employed in a hospital and involved in direct patient care within one year of graduating from nursing school or a nursing education program shall complete a preceptorship of 3 months in that hospital. The nurse shall function under the supervision and direction of the nursing staff of the institution during the preceptorship. During the preceptorship period, the nurse shall not be included as a staff member in computing the institution's patient-to-staff ratio.

Sec. 17. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1989-90	1990-91
EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF		
Higher Education Services		
Positions	(1)	(1)
Personal Services	\$22,516	\$32,584
All Other	5,000	7,000
TOTAL	<u>\$27,516</u>	<u>\$39,584</u>
Maine Choice Program		
All Other	\$1,000,000	\$500,000
DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES		
TOTAL	<u>\$1,027,516</u>	<u>\$539,584</u>
LABOR, DEPARTMENT OF		
Administration - Labor		
Personal Services	\$25,000	
All Other	10,000	

1	Provides funds for compiling		
3	a state health care		
	occupations manual.		
5	DEPARTMENT OF LABOR		
	TOTAL	<u>\$35,000</u>	
7	HUMAN SERVICES, DEPARTMENT OF		
9	Health Occupations Training Loan		
11	Pay-Back Program		
13	All other	\$500,000	\$500,000
15	Expansion of Health		
17	Occupations Training, or HOT,		
19	Loan Pay-Back Program. For		
	use by facilities which have		
	reached their financial caps.		
21	DEPARTMENT OF HUMAN SERVICES		
	TOTAL	<u>\$500,000</u>	<u>\$500,000</u>
23	MAINE HEALTH POLICY ADVISORY		
25	COUNCIL		
27	Health Policy Advisory Council		
29	All Other	\$49,994	\$50,595
31	Provides funds to contract		
33	for services, general office		
35	expenses, travel, phone,		
37	computer and data supplies		
	and services, printing and		
	postage.		
39	MAINE HEALTH POLICY ADVISORY		
	COUNCIL		
	TOTAL	<u>\$49,994</u>	<u>\$50,595</u>
41	MAINE VOCATIONAL-TECHNICAL		
43	INSTITUTE SYSTEM		
45	Board of Trustees of the Maine		
47	Vocational-Technical Institute		
	System		
49	All Other	\$100,000	
51	Provides scholarships for up		
53	to 100 nursing students.		

1	BOARD OF TRUSTEES OF THE MAINE		
3	VOCATIONAL-TECHNICAL INSTITUTE		
	SYSTEM		
	TOTAL	<u>\$100,000</u>	
5			
7	UNIVERSITY OF MAINE SYSTEM,		
	BOARD OF TRUSTEES OF THE		
9	Education and General Activities,		
	University of Maine System		
11			
	All Other	\$500,000	\$500,000
13			
15	Provides funds to establish a		
	research and practice center		
17	for nursing attached to a		
	campus of the University of		
19	Maine System as recommended		
	by the Chancellor and		
21	approved by the Legislature.		
	Research will include such		
23	items as: effects that		
	alternative models of nursing		
25	have on nurse/patient ratios		
	and staff mix; the impact of		
27	advances in medical		
	technology on nurse staffing,		
29	level and mix; comparative		
	studies of predominantly		
31	female professions and health		
	professions, including		
33	nursing, to further the		
	understanding of the factors		
35	influencing career		
	decisions; examination of		
37	the direct and indirect		
	effects of various payment		
39	strategies on the number, mix		
	and compensation levels of		
41	nursing personnel in all		
	health care settings; the		
43	effects of salary and benefit		
	packages on nurse supplies		
45	and demand, as well as		
	recruitment and retention;		
47	strategies for eliminating		
	salary compression; other		
49	issues concerning recruitment		
	and retention of health care		
51	professions, including, but		
	not limited to, the image of		
	nursing; the value of		

1 apprenticeship programs; and
2 development of a methodology
3 for determining the
4 advantages and disadvantages
5 of costing out nursing
6 services.

7
8 Funds shall be used to issue
9 requests for proposals and
10 initial staffing, housing and
11 funding of research areas to
12 be studied. An advisory
13 board shall be established,
14 which shall include
15 representatives from
16 interested parties.

17 **Education and General Activities,
18 University of Maine System**

21 All Other \$50,000

23 Provides funds to update the
24 state health care occupation
25 manual on an annual basis.

27 **BOARD OF TRUSTEES OF THE
28 UNIVERSITY OF MAINE SYSTEM
29 TOTAL**

\$500,000 \$550,000

31 **TOTAL APPROPRIATIONS**

\$2,212,510 \$1,640,179

33 **Sec. 18. Allocation.** The following funds are allocated from
34 Other Special Revenue funds to carry out the purposes of this Act.

37 **1989-90 1990-91**

39 **EDUCATIONAL AND CULTURAL
40 SERVICES, DEPARTMENT OF**

41 **Maine Choice Program**

43 All Other \$900,000 \$400,000

45 Authorizes expenditure of all
46 but \$100,000 for each year of
47 the biennium, of the General
48 Fund appropriations for the
49 Maine Choice Fund, with the
50 intent of making the fund
51 self-sufficient through its
52 interest-earning capacity.

1 **Sec. 19. Sunset.** The Maine Revised Statutes, Title 20-A,
3 section 12716, subsection 4, and section 12719 are repealed
5 effective June 30, 1992.

7 **STATEMENT OF FACT**

9 This bill implements the recommendations of the Commission
11 to Study the Status of Nursing Professions in Maine by:

13 Creating a Maine Choice Program to encourage higher
15 education in health-care-related subject areas in this State.
17 With decreasing availability of federal funding, it is important
19 that the State assume an active role in providing its citizens
21 with educational assistance. The Maine Choice Program is an
23 attempt to provide educational incentives to students choosing to
enroll in health care occupations currently underserved in the
State. Section 18 of the bill authorizes expenditure of all but
\$100,000 for each year of the biennium, of the General Fund
appropriations for the Maine Choice Fund, with the intent of
making the fund self-sufficient through its interest-earning
capacity;

25 Providing scholarships for Maine Vocational-Technical
27 Institute nursing students who enroll in certified nursing
29 assistant, or CNA, courses which can be used for advanced
31 placement if the students decide to continue their nursing
33 education. It also encourages the Maine Vocational-Technical
35 Institute System to develop coordinated CNA and associate degree
in nursing, or ADN, programs to enhance the career ladder options
of nurses. The Board of Trustees of the Maine
Vocational-Technical Institute System is required to make a
report to the Legislature. The provisions will sunset on June
30, 1992;

37 Requiring the Department of Labor to compile a state health
39 care occupations manual. This is in response to a commission
41 finding that Maine lacks up-dated, quality public information on
43 individual health occupations, such as minimum education
requirements, licensing and the projected need for occupations in
Maine;

45 Adding a provision to require the Maine Health Care Finance
47 Commission to grant adjustments to hospitals' financial
49 requirements to support the hiring of additional housekeepers,
51 clerical staff and other personnel who would relieve nurses and
53 other medical professionals of responsibility for tasks that do
not require their professional skills. It also requires the
Maine Health Care Finance Commission to include adjustments to
hospitals' financial requirements for increases in any fringe
benefits that hospitals make available to nurses and other
medical professionals to enhance their retention and recruitment

1 efforts. The commission must approve or disapprove adjustments
within 90 days of receiving a hospital's application;

3
4 Amending current law relating to home health care providers
5 to require that agencies providing temporary per diem or hourly
6 wage nursing staff must be licensed as home health care agencies
7 and must provide training comparable to that required of the
8 agencies to which temporary nursing staff are provided;

9
10 Expanding the Health Occupations Training Program by adding
11 a fund to provide money for upgrading education for employees who
12 work in facilities that have reached their capped expenditure
13 levels;

14
15 Amending current law to allow registered nurses to delegate
16 authority to licensed practical nurses to supervise certified
17 nursing assistants under their direction;

18
19 Requiring that nurses who are employed in hospitals within
20 one year of graduating from nursing school complete a 3-month
21 preceptorship. During the preceptorship period, the intern shall
22 not be included in the computation of the institution's
23 patient-to-staff ratio;

24
25 Appropriating funds to the Maine Health Policy Advisory
26 Council to acquire staff services to monitor and evaluate
27 implementation of the recommendations of the Commission to Study
28 the Status of Nursing Professions in Maine; and

29
30 Appropriating funds to establish a nursing research and
31 practice center at a campus of the University of Maine System.
32 The center is charged with studying several important issues
33 affecting nursing care. It also appropriates funds for the
34 center to issue requests for proposals to continue to update and
35 modify the state health occupations manual initially prepared by
the Department of Labor as directed by this bill.