

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1992

Legislative Document

No. 2295

H.P. 1631

House of Representatives, February 4, 1992

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.  
Reference to the Committee on Business Legislation suggested and ordered printed.

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

EDWIN H. PERT, Clerk

Presented by Representative MANNING of Portland.

Cosponsored by Senator CONLEY of Cumberland and Representative LARRIVEE of Gorham.

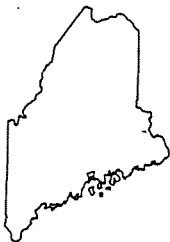
STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-TWO

An Act to Amend the Laws Governing Respiratory Care Practitioners.

(AFTER DEADLINE)

(EMERGENCY)



2           **Emergency preamble.** Whereas, Acts of the Legislature do not  
become effective until 90 days after adjournment unless enacted  
as emergencies; and

4           Whereas, unless this legislation is enacted as an emergency  
6 measure some health care institutions may not be able to  
adequately procure necessary blood and other specimens or perform  
8 certain laboratory testing procedures; and

10           Whereas, this inability would severely impair the quality of  
care in those institutions; and

12           Whereas, in the judgment of the Legislature, these facts  
14 create an emergency within the meaning of the Constitution of  
Maine and require the following legislation as immediately  
16 necessary for the preservation of the public peace, health and  
safety; now, therefore,

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

20           **Sec. 1.** 32 MRSA §9706-A, sub-§§2, 7 and 8, as enacted by PL  
22 1989, c. 450, §41, are amended to read:

24           **2. Students.** The delivery of respiratory care services by  
students as an integral part of the study program of students  
26 enrolled in education programs of any health care profession, as  
determined by board rule. Students enrolled in an accredited  
28 medical laboratory educational program as a potential medical  
technologist or medical technician may obtain specimens and  
30 perform laboratory testing;

32           **7. Cardiopulmonary testing.** Cardiopulmonary testing by  
individuals who have been issued credentials by the National  
34 Board for Respiratory Care as Certified Pulmonary Function  
Technologists; ~~or~~

36           **8. Physician supervision.** The delivery of respiratory care  
38 services by individuals employed ~~in--the--office--and~~ under the  
direct supervision and control of a physician licensed to  
40 practice medicine by the State, or of a director of a licensed  
clinical laboratory who may hold a Doctor of Medicine, Doctor of  
42 Philosophy, Master of Science or bachelor degree;

44           **Sec. 2.** 32 MRSA §9706-A, sub-§§9 and 10 are enacted to read:

46           **9. Specimen procurement.** Obtaining blood, venous,  
48 capillary or arterial specimens in health care institutions by  
trained phlebotomists, laboratory technologists or laboratory  
50 technicians; or

