MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

SECOND REGULAR SESSION-1994

Legislative Document

No. 1805

S.P. 646

In Senate, January 27, 1994

An Act to Make Certain Revisions to the Maine Emergency Medical Services Act of 1982.

Submitted by the Department of Public Safety pursuant to Joint Rule 24. Reference to the Committee on Legal Affairs suggested and ordered printed.

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator MARDEN of Kennebec. Cosponsored by Representatives: LINDAHL of Northport, VIGUE of Winslow.

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		enacted by the People of the State of Maine as follows:
2		Sec. 1. 32 MRSA §90-A, sub-§4, ¶¶A and B, as amended by PI
4	1991	, c. 588, §19, are further amended to read:
б		A. The board may enter into a consent agreement, with the consent of the licensee, that fixes the period and terms of
10		probation necessary to protect the public health and safety and to rehabilitate or educate the licensee. A consent agreement may be used to terminate a complaint
12		investigation, if entered into by the board, and the licensee and-the-Department-of-the-Attorney-General.
14		B. If a licensee voluntarily surrenders a license, the board may negotiate stipulations necessary to ensure
16		protection of the public health and safety and the rehabilitation or education of the licensee. These
18		stipulations may be set forth only in a consent agreement signed by the board, and the licensee and the Department of
20		the-Attorney-General.
22	273,	Sec. 2. 32 MRSA §90-A, sub-§4, ¶D, as enacted by PL 1987, c. §8, is amended to read:
24		D. Brent in the smilling signment when the Weine
26		D. Except in the specific circumstances where the Maine Administrative Procedure Act, Title 5, section 10004 may be invoked, if the board or its staff concludes that suspension
28	•	or revocation of the license is in order, the board shall hold a hearing or its staff shall file a complaint in the
30		Administrative Court in accordance with Title 4, chapter 25, to commence either full or emergency proceedings.
32	Dawy Carlow	Sec. 3. 32 MRSA §90-A, sub-§5, ¶G, as amended by PL 1991, c.
34	588,	\$19, is further amended to read:
36	et describer	G. Subject to the limitations of Title 5, chapter 341, conviction of a crime that involves dishonesty or false
38		statement that relates directly to the practice for which the licensee is licensed of conviction of any crime for
40		which incarceration for one year or more may be imposed or
		conviction of any crime based on a sexual assault or or
42		misuse or illegal use or sale of drugs or narcotics;
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STATEMENT OF FACT

This bill removes the requirement that the Department of the Attorney General be involved in licensure and disciplinary actions involving emergency medical personnel. Under this bill,

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2	file complaints regarding license suspension or revocation with
	the Administrative Court.
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	The bill also provides that a conviction for a crime based
· 6	on a sexual assault or on misuse or illegal use or sale of drugs or narcotics is a licensure disqualification for emergency
8	medical personnel.
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12	
14	This document has not yet been reviewed to determine the
	need for cross-reference, stylistic and other technical
16	amendments to conform existing law to current drafting standards.