

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

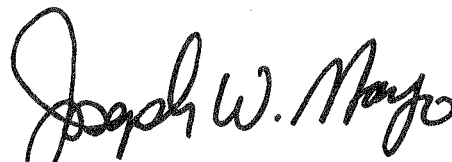
No. 597

H.P. 447

House of Representatives, January 30, 1997

An Act to Amend the Statutes Pertaining to Emergency Medical Services.

Submitted by the Department of Public Safety pursuant to Joint Rule 204.
Reference to the Committee on Health and Human Services suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative VIGUE of Winslow.
Cosponsored by Senator CAREY of Kennebec and
Representatives: BUMPS of China, TUTTLE of Sanford.

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

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4 **Sec. 1. 32 MRSA §83, sub-§§7 and 12,** as enacted by PL 1981, c. 661, §2, are amended to read:

6 **7. Basic emergency medical technician.** "Basic emergency medical technician" means a basic emergency medical ~~services-~~
8 services person who has successfully completed the ~~United-States~~
10 ~~Department--of--Transportation~~ Maine Emergency Medical Services
12 course for emergency medical treatments and has met the other requirements for licensure at this level.

14 **12. Emergency medical services' person.** "Emergency medical services' person" means any person who routinely provides
16 emergency medical treatment and other health care services
18 approved by the board to the sick or injured.

20 **Sec. 2. 32 MRSA §84, sub-§2, ¶A,** as amended by PL 1991, c. 588, §11, is further amended to read:

22 A. The board shall monitor the provision of emergency medical services and other services provided by its
24 licensees within the State. The board shall establish, by rule, its goals in monitoring the provision of services and
26 in insuring that these services are appropriately delivered. These goals must be in the nature of objectives
28 and do not constitute absolute requirements. In establishing these goals, the board shall seek the input of individuals,
30 agencies, services and organizations interested in emergency medical services. The board shall also take into
32 consideration the goals established by the regional councils pursuant to section 89.

34 **Sec. 3. 32 MRSA §85, sub-§1,** as amended by PL 1985, c. 730, §§11 and 16, is further amended to read:

36 **1. Basic and advanced skills.** With advice from and in consultation with each regional council and its medical control
38 committee and with the statewide emergency medical ~~services-~~
40 services medical director, the board may provide, by rule, which skills, techniques and judgments constitute a ~~basic~~ an emergency
42 medical treatment or other treatment or service within the scope of practice of an emergency medical services person.
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Sec. 4. 32 MRSA §85-A is enacted to read:

§85-A. Denial and suspension of license for criminal conviction

1. General denial and suspension. Licensure of persons convicted of certain crimes presents an unreasonable risk to public health and safety.

A. An application for licensure by a person convicted of one of the following crimes must be denied:

(1) A crime involving sexual misconduct, including rape, gross sexual misconduct, the sexual abuse of a minor or unlawful sexual contact;

(2) A crime involving the physical or sexual abuse of a minor, the elderly or infirm, such as sexual exploitation of a minor, dissemination of sexually explicit materials, assault involving a child or incompetent victim, endangering the welfare of a child or dependent person;

(3) A serious crime of violence against persons, such as murder, felony murder, manslaughter, aiding or soliciting suicide or aggravated assault;

(4) A crime involving controlled substances or synthetic, including unlawful possession or distribution, or acquisition of Schedule I to Schedule V drugs as defined by the federal Uniform Controlled Substance Act or Schedule W, X and Y drugs as defined by Title 17-A, section 1102; or

(5) A serious crime against property, such as theft of an amount constituting a Class A, B, C or D crime or burglary.

B. An application for licensure by a person who has been convicted of any crime and who is currently incarcerated, on work release, on probation or on parole must be denied.

C. The license of an emergency medical services person must be immediately suspended upon indictment or the filing of a criminal complaint for any of the crimes listed in paragraph A.

D. The license of an emergency medical services person must be immediately suspended upon the licensee's incarceration or placement on work release, on probation or on parole for any crime.

2 E. The license of an emergency medical services person who
3 is convicted of a crime listed in paragraph A must be
4 immediately revoked.

6 4. Applicant to provide information. Maine Emergency
7 Medical Services may require that any applicant for a license or
8 a licensed emergency medical services person provide full and
9 complete information regarding any charge or conviction for a
10 crime. In the case of a charge or conviction for offenses other
11 than a violation of a Maine statute, Maine Emergency Medical
12 Services may determine in its sole discretion whether the offense
13 involved is substantially similar to one listed in this section.

14 5. Application of section to existing licenses. When a
15 license holder applies for relicensure or for another emergency
16 medical service license, the provisions of this section apply for
17 convictions that predate the effective date of this section.

18 Sec. 5. 32 MRSA §88, sub-§1, ¶A, as amended by PL 1995, c.
19 161, §9, is further amended to read:

20 A. The board has one member representing each regional
21 council, and ~~7~~ 10 persons in addition. Of the additional
22 persons, one is a physician, one an attorney, ~~one~~ a
23 representative two representatives of the public, one a
24 representative of for-profit ambulance services, one a
25 professional nurse, one a representative of nontransporting
26 emergency medical services, ~~one~~ a representative of
27 hospitals, one a fire chief and one a representative of
28 not-for-profit ambulance services. The members that
29 represent for-profit ambulance services, nontransporting
30 emergency medical services and not-for-profit ambulance
31 services must be licensed emergency medical services
32 persons. Appointments are for 3-year terms. ~~Members must be~~
33 are appointed by the Governor. The state medical director
34 is an ex officio nonvoting member of the board.
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SUMMARY

43 This bill amends the current laws concerning emergency
44 medical services by:

45 1. Changing the reference to the course that a basic
46 emergency medical technician must complete from one defined by
47 the United States Department of Transportation to one defined by
48 Maine Emergency Medical Services;

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2 2. Expanding the definition of emergency medical services'
2 person;

4 3. Expanding the monitoring power of the Emergency Medical
4 Services' Board to include other services provided by its
6 licensees and to define treatments or services that fall within
6 the scope of the practice of an emergency medical services person;

8 4. Adding 3 persons to the Emergency Medical Services'
10 Board; and

12 5. Listing the criminal convictions that result in denial,
12 suspension or revocation of an emergency medical services license.