

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST SPECIAL SESSION-1997

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Legislative Document

No. 1706

H.P. 1206

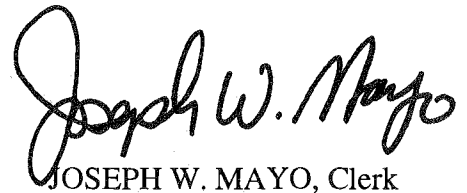
House of Representatives, April 1, 1997

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### **An Act to Review Registration of Certified Nursing Assistants.**

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Submitted by the Department of Human Services pursuant to Joint Rule 204.  
Reference to the Committee on Business and Economic Development suggested and  
ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative BRUNO of Raymond.  
Cosponsored by Representatives: BRAGDON of Bangor, QUINT of Portland.

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

2           **Sec. 1. 22 MRSA §1812-G, sub-§2**, as amended by PL 1993, c.  
4 247, §1, is further amended to read:

6           **2. Contents.** The Maine Registry of Certified Nursing  
8 Assistants must contain a listing of nursing assistants who have  
10 successfully completed a nursing assistant training program, hold  
12 a certificate of training and meet the eligibility requirements  
14 established by the State Board of Nursing. The listing must  
16 include, for any nursing assistant listed, a notation of:

18           A. Any criminal convictions of--abuse,--neglect--or  
20 misappropriation-of-property-of-an-individual, except for  
22 Class D and Class E convictions over 10 years old that did  
24 not involve as a victim of the act a patient, client or  
26 resident of a health care entity; and

28           B. Any specific documented findings by the state survey  
30 agency of abuse, neglect or misappropriation of property of  
32 a resident, client or patient. For purposes of this  
34 section, "state survey agency" means the agency specified  
36 under 42 United States Code, Sections 1395aa and 1396  
38 responsible for determining whether institutions and  
40 agencies meet requirements for participation in the State's  
42 Medicare and Medicaid programs.

**Sec. 2. 22 MRSA §1812-G, sub-§§4 and 5** are enacted to read:

30           **4. Eligibility.** The department shall verify the  
32 credentials and training of all certified nursing assistants.

34           **5. Verifying certified nursing assistant eligibility.** A  
36 health care institution, facility or organization employing a  
38 certified nursing assistant shall, before hiring a certified  
40 nursing assistant, verify with the Maine Registry of Certified  
42 Nursing Assistants that the certified nursing assistant is listed  
on the Maine Registry of Certified Nursing Assistants.

**SUMMARY**

44           Current law requires the Department of Human Services to  
46 maintain a registry that contains the names of all certified  
48 nursing assistants and any convictions of those nursing  
50 assistants for abuse, neglect or misappropriation of property of  
a resident, client or patient. This bill requires a listed  
nursing assistant's name to be annotated with any criminal  
convictions except those Class D and Class E convictions over 10  
years old that did not involve as a victim a patient, client or

resident of a health care entity. Additionally, the bill  
2 requires the department to certify the credentials and training  
of all certified nursing assistants and all health care  
4 institutions to check with the registry before hiring any  
certified nursing assistants.