

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST SPECIAL SESSION-1997

Legislative Document

No. 1877

H.P. 1328

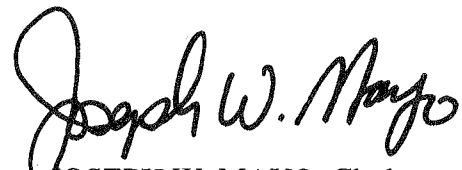
House of Representatives, May 14, 1997

**Resolve, Regarding Legislative Review of Chapter 6: Regulations
Relating to Coordination and Oversight of Patient Care Services by
Unlicensed Health Care Assistive Personnel, a Major Substantive Rule
of the Maine State Board of Nursing.**

(EMERGENCY)

Submitted by the Maine State Board of Nursing pursuant to the Maine Revised Statutes,
Title 5, section 8072.

Reference to the Joint Standing Committee on Health and Human Services suggested and
printing ordered.


JOSEPH W. MAYO, Clerk

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

Whereas, the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter II-A, requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

Sec. 1. Adoption. Resolved: That final adoption of Chapter 6: Regulations Relating to Coordination and Oversight of Patient Care Services by Unlicensed Health Care Assistive Personnel, a provisionally adopted major substantive rule of the Maine State Board of Nursing, submitted to the Legislature for review pursuant to the Maine Administrative Procedure Act, is authorized.

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

SUMMARY

This resolve provides for legislative review of Chapter 6: Regulations Relating to Coordination and Oversight of Patient Care Services by Unlicensed Health Care Assistive Personnel, a major substantive rule of the Maine State Board of Nursing.

These rules were filed after the filing deadline for 1997 established in the Maine Revised Statutes, Title 5, section 8072, subsection 7 and are, therefore, subject to 1998 filing and review deadlines. The Legislature will conduct the review required under Title 5, chapter 375, subchapter II-A at the First Special Session of the 118th Legislature or any subsequent special session held in 1997 if it determines such review to be appropriate or, if not, in 1998 during the Second Regular Session of the 118th Legislature. The board may not finally adopt or implement these rules until they are reviewed by the Legislature.