

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1186

S.P. 395

In Senate, February 11, 1999

An Act Regarding the Circumstances under Which a Physician May Be Disciplined.

Reference to the Committee on Business and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator DAGGETT of Kennebec.

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

4 **Sec. 1. 32 MRSA §3282-A, sub-§2**, as amended by PL 1997, c.
5 680, Pt. C, §§5 to 8, is further amended by amending the first
6 paragraph to read:

7 **2. Grounds for discipline.** The board may censure an
8 individual licensed under this chapter or suspend or revoke a
9 license pursuant to Title 5, section 10004. The following are
10 grounds for an action to censure an individual licensed under
11 this chapter or refuse to issue, modify, restrict, suspend,
12 revoke or refuse to renew the license of an individual licensed
13 under this chapter:

14 **Sec. 2. 32 MRSA §3282-A, sub-§2, ¶E**, as amended by PL 1993, c.
15 600, Pt. A, §218, is further amended to read:

16 **E.** Incompetence in the practice for which the licensee is
17 licensed. A licensee is considered incompetent in the
18 practice if the licensee has:

19 (1) Engaged in one or more acts of conduct that
20 evidences evidence a lack of ability or fitness to
21 discharge the duty owed by the licensee to a client or
22 patient or the general public; or

23 (2) Engaged in conduct that evidences a lack of
24 knowledge or inability to apply principles or skills to
25 carry out the practice for which the licensee is
26 licensed;

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29 **SUMMARY**

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33 **This bill allows the Board of Licensure in Medicine to**
34 **censure or otherwise discipline a person licensed in medicine if**
35 **that person commits even one act of incompetence on one patient.**
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