

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1189

S.P. 398

In Senate, February 11, 1999

**An Act to Ensure Adequate Funding of Certain Public Safety Programs
of Occupational or Professional Licensure Boards.**

Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

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 MacKINNON of York.
Cosponsored by Representatives: O'NEAL of Limestone, SHOREY of Calais, TRIPP of
Topsham, USHER of Westbrook.

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

2
3 **Sec. 1. 32 MRSA § 3652, first and 2nd ¶¶**, as amended by PL 1993,
4 c. 600, Pt. A, §245, are further amended to read:

6 An applicant for an examination for a license to practice
7 podiatry shall pay, at the time of filing an application, to the
8 board a license application fee of not more than \$200, a license
9 fee of not more than \$600, plus actual cost of examination
10 administration as set by the board. If the application is denied
11 and examination refused, 1/2 of the application fee and all of
12 the license fee must be returned to the applicant. An applicant
13 who fails to pass an examination is entitled to a reexamination
14 within 6 months upon the payment of an additional \$50, but only 2
15 such reexaminations are permitted. Podiatrists licensed in
16 another state and applying for a license to practice in this
17 State without examination shall pay a an application fee of not
18 more than \$200 and a license fee of not more than \$600.

20 A doctor of podiatric medicine licensed to practice
21 podiatric medicine and surgery within this State shall apply, on
22 or before August 1, 1993 and on or before July 1st of every year
23 after August 1, 1993, to the board for a license renewal on a
24 form furnished by the board and pay a renewal fee of not more
25 than \$200 \$600.

26 **Sec. 2. 32 MRSA §3654, first ¶**, as repealed and replaced by PL
27 1993, c. 600, Pt. A, §247, is repealed.

28 **Sec. 3. 32 MRSA §3654, 2nd ¶**, as repealed and replaced by PL
29 1993, c. 600, Pt. A, §247, is amended to read:

30 Beginning July 1, 1995, the board may issue a license to
31 practice podiatry by endorsement to an applicant who has
32 successfully passed the written examination of another state or
33 of a national certifying agency in podiatry recognized by the
34 board if the written examination of the other state or national
35 certifying agency was, in the opinion of the board, equivalent to
36 its own examination and if the applicant satisfies in all other
37 respects the requirements for licensure in section 3651-A. An
38 applicant for licensure by endorsement who graduated after
39 January 1, 1991 from podiatric medical school under section
40 3651-A shall provide the board evidence of satisfactory
41 completion of at least one year of postgraduate clinical training
42 in a podiatric residency training program under section 3651-A.
43 The application to the board must be accompanied by an
44 application fee of not more than \$200 and a license fee of not
45 more than \$600.

46 **Sec. 4. 32 MRSA §9909, sub-§1**, as amended by PL 1991, c. 509,
47 §33, is further amended to read:

1. **Renewal.** A license expires ~~biennially~~ annually on ~~December 31st or on such other date as the commissioner may determine~~ September 30th. Notice of expiration must be mailed to each licensee's last known address at least 30 days in advance of the expiration of the license. The notice must include any requests for information necessary for renewal.

Licenses may be renewed up to 90 days after the date of expiration upon payment of a late fee of \$10 in addition to the renewal fee. Any person who submits an application for renewal more than 90 days after the licensing renewal date is subject to all requirements governing new applicants under this chapter. In addition, the board may assess penalties for renewals more than 90 days after expiration.

Sec. 5. 32 MRSA §9911, sub-§1, as amended by PL 1995, c. 502, Pt. H, §41, is further amended to read:

1. **Amount.** Application fees may be established by the board in amounts that are reasonable and necessary. Licensing fees may not exceed the following amounts:

A. For an original dietitian's or dietetic technician's license, ~~\$160~~ \$200;

B. For a renewal dietitian's or dietetic technician's license, ~~\$160~~ \$200; or

C. For a temporary dietitian's or dietetic technician's license, ~~\$50~~ \$100.

Sec. 6. 32 MRSA §12514, sub-§2, as enacted by PL 1995, c. 671, §13, is amended to read:

2. **Licensure.** The initial license fee is established by the board and may not exceed ~~\$200~~ \$675 annually.

Sec. 7. 32 MRSA §12526, sub-§1, as enacted by PL 1995, c. 671, §13, is amended to read:

1. **Fees.** Applications for licensing and specialty certification must be on forms prescribed and furnished by the board. The application fee is set by the board by rule and is nonrefundable. An initial license fee must be established by the board in an amount not to exceed ~~\$300~~ \$675. A specialty certification fee must be established by the board in an amount not to exceed \$50 annually.

SUMMARY

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4 This bill addresses 3 separate boards under the jurisdiction
6 of the Department of Professional and Financial Regulation that
are in deficit positions. The bill increases the license fee cap
of the Board of Licensure of Podiatric Medicine.

8

10 The bill raises the licensing fee cap and amends the
biennial renewal schedule of the Board of Licensing of Dietetic
Practice. The revised renewal date comports with current
practice.

12

14 The bill also raises the license fee cap under the Board of
Complementary Health Care Providers to ensure the public safety
program of regulation for acupuncturists and naturopathic doctors.