

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 780

H.P. 579

House of Representatives, February 18, 2003

An Act To Amend the Maine Registry of Certified Nursing Assistants

Reference to the Committee on Health and Human Services suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative ANDREWS of York.
Cosponsored by President DAGGETT of Kennebec and
Representatives: KANE of Saco, SHIELDS of Auburn.

2
3 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 22 MRSA §1812-G, sub-§§4 and 5.** as enacted by PL 1997,
c. 465, §2, are repealed.

6 **Sec. 2. 22 MRSA §1812-G, sub-§§6 to 9** are enacted to read:

8 **6. Verification.** The department shall verify the
9 credentials and training of all certified nursing assistants, and
10 a health care institution, facility or organization employing a
11 certified nursing assistant shall, before hiring a certified
12 nursing assistant, verify with the Maine Registry of Certified
13 Nursing Assistants that the certified nursing assistant is listed
14 on the Maine Registry of Certified Nursing Assistants.

16 **7. Employment restrictions.** Except as otherwise provided
17 in this section:

18 **A. An individual may not be employed in a health care**
19 **entity as a certified nursing assistant if that individual:**

22 **(1) Has been convicted by a court of law of a crime**
23 **involving abuse or neglect; or**

24 **(2) Has been convicted by a court of law of a crime**
25 **involving misappropriation of funds of a health care**
26 **entity;**

28 **B. An individual may not be employed in a health care**
29 **entity as a certified nursing assistant if that individual:**

32 **(1) Has had a complaint involving abuse or neglect**
33 **that was substantiated by the department and entered on**
34 **the Maine Registry of Certified Nursing Assistants; or**

36 **(2) Has had a complaint involving the misappropriation**
37 **of funds of a health care entity that was substantiated**
38 **by the department and entered on the Maine Registry of**
39 **Certified Nursing Assistants; or**

40 **C. An individual may not be employed in a health care**
41 **entity as a certified nursing assistant if that individual**
42 **has a prior criminal conviction within the last 10 years of:**

44 **(1) A crime for which incarceration of 3 years or more**
45 **may be imposed;**

48 **(2) A crime involving sexual misconduct for which**
49 **incarceration of less than 3 years may be imposed; or**

