

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1470

H.P. 1032

House of Representatives, March 19, 2007

An Act To Clarify the Laws Regarding Physicians

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

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

Millicent M. MacFarland

MILLICENT M. MacFARLAND

Clerk

Presented by Representative SMITH of Monmouth.
Cosponsored by Senator MARRACHÉ of Kennebec and
Representative: RECTOR of Thomaston.

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

2 **Sec. 1. 24 MRSA §2505, first ¶**, as amended by PL 2003, c. 601, §1, is further
3 amended to read:

4 Any professional competence committee within this State and any physician licensed
5 to practice or otherwise lawfully practicing within this State shall, and any other person
6 may, report the relevant facts to the appropriate board relating to the acts of any physician
7 in this State if, in the opinion of the committee, physician or other person, the committee
8 or individual has reasonable knowledge of acts of the physician amounting to gross or
9 repeated medical malpractice, habitual drunkenness, addiction to the use of drugs,
10 professional incompetence, unprofessional conduct or sexual misconduct identified by
11 board rule. The failure of any such professional competence committee or any such
12 physician to report as required is a civil violation for which a fine of not more than
13 \$1,000 may be adjudged.

14 **Sec. 2. 32 MRSA §3271, sub-§7** is enacted to read:

15 **7. Special license categories.** The board may issue a license limited to the practice
16 of administrative medicine as defined by routine technical rule of the board adopted
17 pursuant to Title 5, chapter 375, subchapter 2-A.

18 **Sec. 3. 32 MRSA §3282-A, sub-§2, ¶F**, as amended by PL 1993, c. 600, Pt. A,
19 §218, is further amended to read:

20 F. Unprofessional conduct. A licensee is considered to have engaged in
21 unprofessional conduct if the licensee violates a standard of professional behavior,
22 including disruptive behavior, that has been established in the practice for which the
23 licensee is licensed;

24 **SUMMARY**

25 This bill requires professional competence committees and physicians to report
26 unprofessional conduct to the relevant regulatory board. Further, the bill amends the law
27 concerning the Board of Licensure in Medicine by including disruptive behavior in the
28 description of unprofessional conduct as grounds for discipline and by rule creates a
29 license category limited to administrative medicine.