

# MAINE STATE LEGISLATURE

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# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 818

S.P. 292

In Senate, March 10, 2015

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### **An Act To Amend the Maine Emergency Medical Services Act of 1982**

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Submitted by the Department of Public Safety pursuant to Joint Rule 204.  
Reference to the Committee on Criminal Justice and Public Safety suggested and ordered  
printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator DUTREMBLE of York.  
Cosponsored by Representative LAJOIE of Lewiston and  
Senators: BURNS of Washington, GERZOFSKY of Cumberland, WILLETTE of Aroostook,  
Representatives: GERRISH of Lebanon, KINNEY of Knox.

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

2 **Sec. 1. 32 MRSA §83, sub-§6**, as amended by PL 2011, c. 271, §3, is further  
3 amended to read:

4 **6. Basic emergency medical services person.** "Basic emergency medical services  
5 person" means a person licensed to perform basic emergency medical treatment.  
6 Licensed ~~first~~ emergency medical responders and basic emergency medical technicians  
7 are basic emergency medical services persons.

8 **Sec. 2. 32 MRSA §83, sub-§13-A**, as enacted by PL 1999, c. 182, §6, is amended  
9 to read:

10 **13-A. Emergency medical responder.** "~~First~~ Emergency medical responder" means  
11 an emergency medical services person who has successfully completed the Maine  
12 Emergency Medical Services course for ~~first~~ emergency medical responders and has met  
13 the other requirements for licensure at this level.

14 **Sec. 3. 32 MRSA §83, sub-§16-B**, as amended by PL 2011, c. 271, §5, is further  
15 amended to read:

16 **16-B. Medical Direction and Practices Board.** "Medical Direction and Practices  
17 Board" means the board consisting of each regional medical director, ~~a representative of~~  
18 an emergency physician representing the Maine Chapter of the American College of  
19 Emergency Medicine Physicians, an at-large member, a licensed pharmacist, the  
20 statewide assistant emergency medical services medical director and the statewide  
21 emergency medical services medical director. The Medical Direction and Practices  
22 Board is responsible for creation, adoption and maintenance of Maine Emergency  
23 Medical Services protocols.

24 **Sec. 4. 32 MRSA §86, sub-§1**, as amended by PL 1995, c. 161, §7, is further  
25 amended to read:

26 **1. Ambulance services and nontransporting medical services to be licensed.**  
27 Every ambulance service and nontransporting emergency medical service must be  
28 licensed, operate in accordance with the rules adopted and protocols developed for  
29 services under this chapter and carry the equipment called for in those rules.

30 **Sec. 5. 32 MRSA §87**, as amended by PL 1991, c. 588, §15, is further amended to  
31 read:

32 **§87. Ambulances**

33 Each ambulance must be licensed pursuant to this chapter. It must also meet the  
34 design criteria and ~~shall~~ must be equipped as specified in rules adopted under this  
35 chapter.

36 **Sec. 6. 32 MRSA §90-A, sub-§4, ¶D**, as amended by PL 2001, c. 229, §7, is  
37 repealed.

1           **Sec. 7. 32 MRSA §90-C** is enacted to read:

2           **§90-C. Duty of all licensees and applicants for licensure to report certain**  
3   **information**

4           **1. Report in writing.** A licensee or an applicant for licensure under this chapter  
5           shall notify the board in writing within 10 days of a:

6                       A. Change of name or address;

7                       B. Criminal conviction;

8                       C. Revocation, suspension or other disciplinary action taken in this or any other  
9                       jurisdiction against any occupational or professional license held by the applicant or  
10                      licensee; or

11                      D. Material change in the conditions or qualifications set forth in the original  
12                      application for licensure submitted to the board.

13           **Sec. 8. 32 MRSA §92-B, first ¶**, as enacted by PL 2007, c. 274, §28, is amended  
14           to read:

15           Notwithstanding any other provision of law, information that relates to an applicant  
16           for licensure or to a person licensed or certified by the board who is alleged to have  
17           engaged in any unlawful activity or professional misconduct or in conduct in violation of  
18           laws or rules relating to the board must be disclosed to the board and may be used by the  
19           board only in accordance with this chapter.

20           **Sec. 9. 32 MRSA §92-B, sub-§1**, as enacted by PL 2007, c. 274, §28, is amended  
21           to read:

22           **1. Purpose for which disclosure is made.** Any confidential information provided to  
23           the board may be used only for investigative and other actions within the scope of the  
24           authority of the board and for determining whether the applicant for licensure or the  
25           person licensed or certified by the board has engaged in unlawful activity, professional  
26           misconduct or an activity in violation of the laws or rules relating to the board.

27           **Sec. 10. 32 MRSA §93-B**, as enacted by PL 2003, c. 451, Pt. TT, §1, is repealed.

28   **SUMMARY**

29           This bill amends the Maine Emergency Medical Services Act of 1982.

30           Specifically, the bill:

31           1. Changes the term "first responder" to "emergency medical responder" to align the  
32           law with the Emergency Medical Services rules and the national scope of practice levels;

33           2. Modifies the composition of the Medical Direction and Practices Board to include  
34           an at-large member, a pharmacist and the statewide assistant emergency medical services

1 medical director and to specify that the representative of the Maine Chapter of the  
2 American College of Emergency Medicine Physicians must be an emergency physician;

3 3. Removes a requirement that the Emergency Medical Services' Board or its staff  
4 must request the Attorney General to file a complaint in District Court to commence  
5 either full or emergency proceedings to suspend a license for more than a year or to  
6 revoke a license when the board or its staff concludes to so suspend or revoke the license  
7 is in order;

8 4. Requires applicants and licensees to notify the Emergency Medical Services'  
9 Board regarding name and address changes, criminal convictions, actions taken by  
10 another regulatory agency against any of their occupational and professional licenses and  
11 material changes to their conditions and qualifications set forth in their original  
12 applications for licensure; and

13 5. Repeals the law establishing the Epinephrine Training Fund.