

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 13

H.P. 14

House of Representatives, January 5, 2017

**An Act To Require Certain Licensing Boards To Report Cases of
Sexual Abuse of a Patient or Client by a Licensee to a Law
Enforcement Agency or the Department of Health and Human
Services**

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

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative ESPLING of New Gloucester.
Cosponsored by Senator VOLK of Cumberland and
Representative: HANLEY of Pittston, Senator: DIAMOND of Cumberland.

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

2 **Sec. 1. 32 MRSA §2562**, as amended by PL 1997, c. 680, Pt. B, §1, is further
3 amended by adding at the end a new paragraph to read:

4 The board shall report or cause a report to be made to the Department of Health and
5 Human Services or a law enforcement agency when the board knows or has reasonable
6 cause to suspect sexual abuse of a patient by an individual licensed or registered under
7 this chapter or by an unlicensed person to whom a licensee or registrant has delegated
8 activities pursuant to subchapter 7.

9 **Sec. 2. 32 MRSA §3269, sub-§16**, as amended by PL 2001, c. 260, Pt. H, §2, is
10 further amended to read:

11 **16. Executive director.** The power to appoint an executive director who serves at
12 the pleasure of the board and who shall assist the board in carrying out its administrative
13 duties and responsibilities under this chapter. The salary range for the executive director
14 must be set by the board within the range established by Title 2, section 6-C; ~~and~~

15 **Sec. 3. 32 MRSA §3269, sub-§17**, as enacted by PL 2001, c. 260, Pt. H, §3, is
16 amended to read:

17 **17. Approval of licenses.** The power to direct staff to review and approve
18 applications for licensure or renewal in accordance with criteria established in law or in
19 rules adopted by the board. Licensing decisions made by staff may be appealed to the
20 full board; ~~and~~

21 **Sec. 4. 32 MRSA §3269, sub-§18** is enacted to read:

22 **18. Duty to report sexual abuse of patient by licensee, registrant or certificate**
23 **holder.** The duty to report or cause a report to be made to the Department of Health and
24 Human Services or a law enforcement agency when the board knows or has reasonable
25 cause to suspect sexual abuse of a patient by an individual licensed, registered or certified
26 under this chapter or by an unlicensed person to whom a licensee, registrant or certificate
27 holder has delegated activities pursuant to subchapter 2.

28 **Sec. 5. 32 MRSA §7030, sub-§6** is enacted to read:

29 **6. Duty to report sexual abuse of client by licensee or registrant.** The board shall
30 report or cause a report to be made to the Department of Health and Human Services or a
31 law enforcement agency when the board knows or has reasonable cause to suspect sexual
32 abuse of a client by an individual licensed or registered under this chapter.

33 **Sec. 6. 32 MRSA §13853, sub-§16** is enacted to read:

34 **16. Duty to report sexual abuse of client by licensee or registrant.** The board
35 shall report or cause a report to be made to the Department of Health and Human Services
36 or a law enforcement agency when the board knows or has reasonable cause to suspect
37 sexual abuse of a client by an individual licensed or registered under this chapter.

