

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1108

S.P. 362

In Senate, March 21, 2017

An Act To Restore Public Health Nursing Services

(EMERGENCY)

Reference to the Committee on Health and Human Services 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 CARSON of Cumberland.
Cosponsored by Representative PERRY of Calais and
Senators: DAVIS of Piscataquis, KATZ of Kennebec, MAKER of Washington, WOODSOME
of York, Representatives: MALABY of Hancock, SAMPSON of Alfred, TEPLER of
Topsham, TUELL of East Machias.

1 G. Assistance with the public health assessment and planning responsibilities of the
2 Maine Center for Disease Control and Prevention and hospitals located within the
3 State;

4 H. Support and education to prenatal clients, parents and newborn infants who are at
5 risk for health challenges;

6 I. Nursing services to support activities of programs within the Maine Center for
7 Disease Control and Prevention, including, but not limited to, the Universal
8 Childhood Immunization program under section 1066 and environmental health and
9 tuberculosis programs; and

10 J. Nursing services to support activities of programs that serve refugee and
11 immigrant health services programs.

12 **Sec. A-2. 22 MRSA §1964** is enacted to read:

13 **§1964. Required staffing**

14 The Public Health Nursing Program must include sufficient staffing to perform the
15 responsibilities listed in section 1963. Minimum staffing must include no fewer than 50
16 full-time or full-time equivalent licensed public health nurses; 5 full-time or full-time
17 equivalent direct supervisors; 4 consulting nurses in program development; and one
18 program director as described in section 1962.

19 **PART B**

20 **Sec. B-1. Staffing levels.** The staffing for the Public Health Nursing Program,
21 established in the Maine Revised Statutes, Title 22, chapter 408 and required by Title 22,
22 section 1964, must be achieved as soon as possible after enactment of this Act, but no
23 later than December 1, 2017.

24 **Sec. B-2. Report.** The Director of the Public Health Nursing Program under the
25 Department of Health and Human Services shall report in writing to the Joint Standing
26 Committee on Health and Human Services by September 1, 2017 and October 15, 2017
27 on the progress of the department in achieving full staffing of the Public Health Nursing
28 Program as required by the Maine Revised Statutes, Title 22, section 1964.

29 **Sec. B-3. Office space; support for staff.** The Department of Health and
30 Human Services shall provide office space and support services for the staff of the Public
31 Health Nursing Program, established in the Maine Revised Statutes, Title 22, chapter 408,
32 to the full extent of required staffing provided in Title 22, section 1964. Office space and
33 support services must be provided on a regional basis in order to derive the maximum
34 benefit from the professional skills of public health nursing staff and to minimize
35 unnecessary driving time.

36 **PART C**

37 **Sec. C-1. Review by legislative joint standing committee.** The Joint
38 Standing Committee on Health and Human Services shall complete before December 1,
39 2017 a review of the services provided by the Public Health Nursing Program established

1 by the Maine Revised Statutes, Title 22, chapter 408 during the years 2011 to 2016. The
2 review must focus on the quality of services provided to communities within the State,
3 including, but not limited to, the type and scope of services needed and the provision of
4 the types of services described in Title 22, section 1963, subsection 3. The review must
5 include the types of public health needs of persons who have recently moved to the State
6 and must identify the services being provided to meet those needs and any unmet needs,
7 identified by type of service and extent of the unmet need.

8 **Sec. C-2. Cooperation of the Department of Health and Human Services.**

9 The Department of Health and Human Services shall provide information as requested by
10 the Joint Standing Committee on Health and Human Services, as required for the
11 committee to conduct the department's review under section 1 of this Part. The
12 information required includes, but is not limited to, studies or reports on the performance
13 of the Public Health Nursing Program established in the Maine Revised Statutes, Title 22,
14 chapter 408 and on replacing public health nursing services with other state or private
15 service providers and other documents of assessments and contracts of service providers
16 during the period 2011 to 2016. The committee shall provide to the Legislature a written
17 report of its findings and recommendations for any future action by January 1, 2018.

18 **Emergency clause.** In view of the emergency cited in the preamble, this
19 legislation takes effect when approved.

20 **SUMMARY**

21 This bill is emergency legislation. This bill enumerates the types of nursing services
22 that must be provided by the Public Health Nursing Program within the Department of
23 Health and Human Services. It specifies required staffing in the program. It sets
24 deadlines for staffing and requires the Public Health Nursing Program by September 1,
25 2017 and October 15, 2017 to report on progress in achieving full staffing. The bill
26 requires the Joint Standing Committee on Health and Human Services to conduct a
27 review of public health nursing services including types of public health needs of persons
28 who have recently moved to the State, services being provided to meet those needs and
29 any unmet needs. The bill requires the committee to provide to the Legislature a written
30 report of its findings and recommendations for any future action by January 1, 2018.