

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 1134

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H.P. 797

House of Representatives, March 23, 2017

**An Act To Amend the Laws Governing Nursing Facilities To Permit  
Nurse Practitioners, Clinical Nurse Specialists and Physician  
Assistants To Perform Certain Physician Tasks**

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

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

ROBERT B. HUNT  
Clerk

Presented by Representative STEWART of Presque Isle.  
Cosponsored by Senator CARPENTER of Aroostook.

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

2 **Sec. 1. 22 MRSA §1812-L** is enacted to read:

3 **§1812-L. Performance of certain tasks by physicians and others**

4 **1. Performance of certain tasks for residents receiving skilled nursing facility**  
5 **services.** For a nursing facility resident receiving skilled nursing facility level services:

6 A. The initial comprehensive visit through which a plan of care is developed for the  
7 resident and every alternate required visit thereafter must be performed by a  
8 physician;

9 B. The alternate required visits not performed by a physician may be performed,  
10 without requiring a physician's cosignature, by a physician assistant, nurse  
11 practitioner or clinical nurse specialist who is licensed or certified as such by the  
12 State and performing within the authorized scope of practice;

13 C. Medically necessary visits may be performed, without requiring a physician's  
14 cosignature, by a physician assistant, nurse practitioner or clinical nurse specialist  
15 who is licensed or certified as such by the State and performing within the authorized  
16 scope of practice; and

17 D. Certifications and recertifications to verify that the resident requires daily skilled  
18 nursing care or rehabilitation services may be performed by a physician assistant,  
19 nurse practitioner or clinical nurse specialist who is licensed or certified as such by  
20 the State and performing within the authorized scope of practice and who is not  
21 employed by the facility and who is working in collaboration with a physician.

22 **2. Performance of certain tasks for residents receiving nursing facility services.**  
23 For a nursing facility resident receiving nursing facility level services, a physician  
24 assistant, nurse practitioner or clinical nurse specialist who is licensed or certified as such  
25 by the State and performing within the authorized scope of practice and who is not  
26 employed by the facility and who is working in collaboration with a physician may  
27 perform any physician task, including but not limited to:

28 A. The resident's initial comprehensive visit;

29 B. Any other required visit; and

30 C. Any medically necessary visit.

31 **SUMMARY**

32 This bill provides that, in accordance with federal regulations:

33 1. For nursing home residents receiving skilled nursing facility level services, a  
34 physician assistant, nurse practitioner or clinical nurse specialist may provide medically  
35 necessary visits, certifications and recertifications and required visits that alternate with  
36 those performed by a physician; and

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- 2
2. For nursing home residents receiving nursing facility level services, a physician assistant, nurse practitioner or clinical nurse specialist may perform any physician task.