

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 364

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S.P. 104

In Senate, January 24, 2019

### **An Act To Establish the Right To Practice Complementary and Alternative Health Care Act**

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator MIRAMANT of Knox.  
Cosponsored by Representative BROOKS of Lewiston and  
Senators: BREEN of Cumberland, CHENETTE of York, CLAXTON of Androscoggin,  
VITELLI of Sagadahoc, Representatives: BEEBE-CENTER of Rockland, BERRY of  
Bowdoinham, MASTRACCIO of Sanford, TEPLER of Topsham.

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

2 **Sec. 1. 32 MRSA c. 113-B, sub-c. 5** is enacted to read:

3 **SUBCHAPTER 5**

4 **COMPLEMENTARY AND ALTERNATIVE HEALTH CARE**

5 **§12601. Short title**

6 This subchapter may be known and cited as "the Right To Practice Complementary  
7 and Alternative Health Care Act."

8 **§12602. License not required**

9 A person who provides health care services in accordance with this subchapter but  
10 who is not licensed, certified or registered in this State as a health care professional or  
11 practitioner under this Title does not violate any law relating to the licensing of health  
12 care professionals under this Title as long as the person complies with the requirements of  
13 this subchapter. For the purposes of this subchapter, "health care services" means  
14 complementary or alternative health care services.

15 **1. Prohibited acts.** A person providing health care services under this subchapter  
16 may not engage in any of the following activities:

17 A. Performing surgery, setting fractures or performing any other procedure on a  
18 person that punctures the skin;

19 B. Administering or prescribing radiation, including x-ray radiation;

20 C. Prescribing or administering medications, drugs or devices that require a  
21 prescription from a licensed health care professional;

22 D. Recommending the discontinuance of medications or drugs or the use of devices  
23 prescribed by a licensed health care professional;

24 E. Performing chiropractic adjustment of joints or spine; or

25 F. Acting in any way that suggests, advertises or implies that the person providing  
26 health care services is licensed as a health care professional under any other chapter  
27 of this Title.

28 **2. Required disclosures.** A person who provides health care services under this  
29 subchapter and is advertising or charging a fee for those services shall, prior to providing  
30 services, disclose the following in writing to the person receiving services:

31 A. The name, business address and telephone number of the person providing health  
32 care services;

33 B. The fact that the person providing health care services is not a licensed health care  
34 professional;

