

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST SPECIAL SESSION-2021

Legislative Document

No. 1576

S.P. 438

In Senate, April 27, 2021

**Resolve, To Establish and Fund a Medical Professionals Health
Program from Health Care Provider License Fees**

Reference to the Committee on Health Coverage, Insurance and Financial Services
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 BRENNER of Cumberland.

1 **Sec. 1. Medical professionals health program development. Resolved:** That
2 the Department of Professional and Financial Regulation shall study and determine the best
3 method of establishing and administering a medical professionals health program as
4 described in this resolve.

5 **Sec. 2. Definitions. Resolved:** That, as used in this resolve, unless the context
6 otherwise indicates, the following terms have the following meanings.

7 1. "Department" means the Department of Professional and Financial Regulation.

8 2. "Medical professional" means a health care professional licensed by a state licensing
9 board pursuant to the Maine Revised Statutes, Title 32 and includes, but is not limited to,
10 allopathic and osteopathic physicians; physician assistants; professional nurses, advanced
11 practice registered nurses and licensed practical nurses and certified nursing assistants;
12 veterinarians; dentists and dental therapists, radiologists and hygienists; and pharmacists
13 and pharmacy technicians.

14 3. "Program" means the medical professionals health program described in section 3.

15 4. "State licensing board" means an entity that provides a license or certificate issued
16 by this State to a medical professional required for that medical professional to practice or
17 work in that medical professional's field.

18 5. "Student" means an individual who is enrolled in a course of study to be licensed as
19 a medical professional.

20 **Sec. 3. Medical professionals health program parameters. Resolved:** That,
21 in determining the best method to establish and administer the program, the department
22 shall consider the following.

23 1. The program must assist medical professionals and students challenged with
24 substance use, mental health, behavioral and administrative issues and stress and burnout
25 by providing confidential monitoring, support, treatment resources, advocacy, education
26 and outreach.

27 2. The program must coordinate and work with state licensing boards to ensure the
28 safety of medical professionals and their patients.

29 3. A medical professional or student may self-refer or may be referred for assistance
30 to the program by a state licensing board or court.

31 4. The program may be created by the department or the department may contract with
32 an outside entity for the program's development and administration.

33 **Sec. 4. Funding of program. Resolved:** That the department shall determine a
34 stable and dedicated funding source for the program, including a surcharge on the licensing
35 or certification fees issued by a state licensing board. The surcharge must be based upon
36 the licensing or certification fee. All funds collected from the surcharge must be used for
37 the program.

38 **Sec. 5. Report. Resolved:** That the department shall submit its proposal for
39 development and administration of the program, including funding, and any implementing
40 legislation to the Joint Standing Committee on Innovation, Development, Economic
41 Advancement and Business by December 1, 2021. The joint standing committee may report
42 out a bill to the Second Regular Session of the 130th Legislature related to the report.

1 **SUMMARY**

2 This resolve requires the Department of Professional and Financial Regulation to study
3 the best method of establishing and administering a medical professionals health program
4 to assist medical professionals and students in medical professions challenged with
5 substance use, mental health, behavioral and administrative issues and stress and burnout
6 by providing confidential and compassionate monitoring, support, treatment resources,
7 advocacy, education and outreach and working with state licensing boards to ensure the
8 safety of medical professionals and their patients. The department may develop and
9 administer the program or contract with an outside entity.

10 The program would be funded by a dedicated source of revenue generated from
11 surcharges placed on the licensing fees of medical professionals, including, but not limited
12 to, allopathic and osteopathic physicians; physician assistants; professional nurses,
13 advanced practice registered nurses and licensed practical nurses and certified nursing
14 assistants; veterinarians; dentists and dental therapists, radiologists and hygienists; and
15 pharmacists and pharmacy technicians. The surcharges would be based on the current
16 licensing or certification fees.

17 The department is required to submit a report and any implementing legislation to the
18 Joint Standing Committee on Innovation, Development, Economic Advancement and
19 Business by December 1, 2021. The joint standing committee may report out a bill to the
20 Second Regular Session of the 130th Legislature related to the report.