

# MAINE STATE LEGISLATURE

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L.D. 1858

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Date: 3/29/22

(Filing No. S-478)

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**HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES**

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Reproduced and distributed under the direction of the Secretary of the Senate.

5

**STATE OF MAINE**

6

**SENATE**

7

**130TH LEGISLATURE**

8

**SECOND REGULAR SESSION**

9

COMMITTEE AMENDMENT "A" to S.P. 633, L.D. 1858, "An Act Regarding Delegating Authority for Services Performed by Emergency Medical Services Personnel in Health Care Facilities"

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Amend the bill by striking out the emergency preamble and substituting the following:

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**'Emergency preamble. Whereas,** acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

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**Whereas,** current law authorizes licensed emergency medical services persons to provide medical services in hospital settings under delegated authority if certain criteria are met; and

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**Whereas,** the authority of licensed emergency medical services persons who work in other health care facility settings to provide medical services in those settings under delegated authority is unclear; and

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**Whereas,** the authority of licensed emergency medical services persons to work in health care settings, including approved pilot projects, must be clarified as soon as possible; and

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**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

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Amend the bill in section 1 in subsection 7 in paragraph A in the first line (page 1, line 22 in L.D.) by striking out the following: "or contracted agent"

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Amend the bill by inserting after section 1 the following:

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**'Sec. 2. Critical access integrated paramedic projects.** Notwithstanding any provision of law to the contrary and as authorized in accordance with the Maine Revised Statutes, Title 32, chapter 2-B, an emergency medical services person is authorized to provide the services described in the application approved by the Emergency Medical

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**COMMITTEE AMENDMENT**

1 Services' Board on October 6, 2021 for a pilot project to be implemented in the Town of  
 2 Jackman, jointly sponsored by North East Mobile Health Services, St. Joseph Hospital,  
 3 Penobscot Community Health Center and the Town of Jackman and known as "the Maine  
 4 EMS Critical Access Integrated Paramedic (CAIP) Pilot Project," for as long as the project  
 5 remains approved by the Emergency Medical Services' Board.

6 **Sec. 3. Development of guidance for emergency medical services persons**  
 7 **acting under delegated authority.** The Board of Licensure in Medicine and the Board  
 8 of Osteopathic Licensure, in consultation with the Emergency Medical Services' Board and  
 9 interested stakeholders, shall develop guidance under which physicians and physician  
 10 assistants may delegate activities pursuant to the Maine Revised Statutes, Title 32, sections  
 11 2594-A and 3270-A to an individual acting contemporaneously pursuant to a contractual  
 12 arrangement as a medical assistant under delegated authority and as an emergency medical  
 13 services person under a license issued in accordance with Title 32, section 82. The guidance  
 14 for the contractual arrangements required to be developed by this section must address the  
 15 legal relationship of the parties to such arrangements, the appropriate settings for the  
 16 arrangements, the scope and extent of supervision under delegated authority for the  
 17 arrangements and any education and training requirements for persons acting under  
 18 delegated authority pursuant to the arrangements. The boards shall submit a report  
 19 including the guidance and any recommendations for necessary statutory changes to the  
 20 joint standing committee of the Legislature having jurisdiction over physician licensing  
 21 matters no later than January 31, 2023. The committee may submit legislation related to  
 22 the report to the First Regular Session of the 131st Legislature.'

23 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
 24 number to read consecutively.

25 **SUMMARY**

26 This amendment clarifies the criteria for which licensed emergency medical services  
 27 persons may provide medical services in health care facility settings in addition to hospital  
 28 settings, as provided in current law, under delegated authority.

29 The amendment authorizes emergency medical services persons to provide services  
 30 described in a pilot project approved by the Emergency Medical Services' Board on  
 31 October 6, 2021, which services are within the lawful scope of practice for emergency  
 32 medical services persons pursuant to statute, as long as the pilot project remains approved.

33 The amendment also directs the Board of Licensure in Medicine and the Board of  
 34 Osteopathic Licensure, in consultation with the Emergency Medical Services' Board and  
 35 interested stakeholders, to develop guidance under which physicians and physician  
 36 assistants may delegate activities to an individual acting contemporaneously pursuant to a  
 37 contractual arrangement as a medical assistant under delegated authority and as a licensed  
 38 emergency medical services person. The boards are required to submit a report including  
 39 the guidance and any recommendations for statutory changes to the joint standing  
 40 committee of the Legislature having jurisdiction over physician licensing matters no later  
 41 than January 31, 2023.

42 **FISCAL NOTE REQUIRED**  
 43 (See attached)



# 130th MAINE LEGISLATURE

LD 1858

LR 2127(02)

## An Act Regarding Delegating Authority for Services Performed by Emergency Medical Services Personnel in Health Care Facilities

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-478)  
Committee: Health Coverage, Insurance and Financial Services

Fiscal Note Required: Yes

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### Fiscal Note

Minor cost increase - General Fund  
Minor cost increase - Other Special Revenue Funds

#### Fiscal Detail and Notes

Additional costs to the Board of Licensure in Medicine and the Board of Osteopathic Licensure to develop the required guidance, in consultation with the Emergency Medical Services' Board and interested stakeholders, and to submit the required report can be absorbed within the existing budgeted resources of each board.