

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-fourth Legislature

OF THE

STATE OF MAINE

1929

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the Eighty-fourth Legislature

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of commitment shall direct the superintendent or manager to detain such patient for further treatment in said hospital until such time as in the opinion of a recognized alienist the patient has recovered or improved mentally to such an extent that his detention in such hospital is no longer necessary for his own welfare or the safety of the public; or until suitable arrangements have been made for said patient's proper care and supervision outside of said institution by his legal or natural guardians; or until on three days' notice, said superintendent or manager shall notify the legal or natural guardian to remove said patient from said institution; or until such time as it shall become necessary to commit said patient to a state hospital, or said patient shall be discharged by order of law.

**Sec. 7. Member state department of health must visit; inspection and report to governor.** Each of said licensed hospitals or houses shall be visited at least once a year, and oftener if the governor so directs, by a member of the state department of health who shall carefully inspect every part of said hospital or house visited with reference to its cleanliness and sanitary conditions and who shall make a report to the governor and council with such recommendations to improve conditions as said department may deem necessary.

**Sec. 8. Revocation of license.** Upon the failure of any superintendent or manager of such licensed hospital or house to comply with any of the provisions of this act, the governor and council may order a hearing to be held and notify in writing said superintendent or manager of such hearing, by seven days' notice, to be held at the council chambers in the state house at Augusta, and if it shall appear to the governor and council that the provisions of this act have not been complied with, they may revoke the license of said hospital or house.

Approved March 25, 1929.

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## Chapter 138.

An Act Relating to the Registration of Nurses.

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

**Sec. 1. R. S., c. 18, sec. 18; relating to appointment of board of registration of nurses, amended.** Section eighteen of chapter eighteen of the revised statutes of Maine as amended is hereby amended by striking out the second and third sentences in said section and inserting in lieu thereof the following: 'They shall have been graduated each from a different school of nursing; and shall have had after graduation at least three years experience in nursing and in addition thereto at least two years experience in teaching nurses, the periods of time not to run concurrently. They shall

have been registered by the board of registration of nurses of this state and shall be citizens of the United States,' so that said section shall read as follows:

'Sec. 18. Five members; three years' experience in nursing necessary; shall be registered and citizens of U. S. The governor, with the advice and consent of the council shall appoint a board of registration of nurses, consisting of five nurses, all of whom shall be residents of the state and engaged in professional work. They shall have been graduated each from a different school of nursing, and shall have had after graduation at least three years experience in nursing and in addition thereto at least two years experience in teaching nurses, the periods of time not to run concurrently. They shall have been registered by the board of registration of nurses of this state and shall be citizens of the United States. Nothing herein contained shall be construed as in any way affecting the term of office of any of the present members of the board. Upon the expiration of the term of office of any member of said board, the governor shall appoint a successor who shall hold office for three years. The said appointment shall be made from a list of six eligible candidates selected at a meeting of the executive committee of the Maine state nurses' association and submitted to the governor not less than thirty days before the time of appointment. Any vacancy occurring on said board shall be filled for the unexpired term by appointment to be made by the governor from like nominations to be furnished by the said association. If said nominations in either case are not submitted within thirty days after the vacancy occurs the governor may appoint to fill such vacancy such person, qualified as aforesaid, as to him seems best. Any member of said board may be removed from office for cause by the governor with the advice and consent of the council. On request of said board the superintendent of public buildings shall provide a suitable room in the state house for its meeting.'

Sec. 2. R. S., c. 18, sec. 19; relating to organization of board, etc., amended. Section nineteen of said chapter eighteen of the revised statutes of Maine as amended is hereby amended by striking out all of said section and inserting in the place thereof the following section:

'Sec. 19. Election of officers; inspector of schools of nursing; certificate and notice of expiration; report. The board shall, at each annual meeting, elect from its number a president, and a secretary who shall also be treasurer. It shall elect one of its members as inspector of schools of nursing who shall annually or oftener inspect all schools of nursing in the state and make report thereof to the board. The board may adopt a seal and pin, which shall be placed in the care of the secretary, and may adopt such by-laws, rules and regulations for the transaction of the business of the

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board and the government and management of its affairs, not inconsistent with the laws of this state and of the United States, as it may deem expedient. Three members of said board shall constitute a quorum; special meetings shall be called by the secretary upon request of any two members. The secretary shall keep a record of all meetings of the board, including a register of the names of all nurses duly registered under section twenty, which shall be open to the public at all times; she shall furnish a certificate of registration to each of such nurses, said certificate to be in force from the date of issue thereof until one year from and after the first day of the following January, and may be renewed annually thereafter upon the payment of one dollar to the secretary of the board. On or before the first day of November of each year the secretary of the board shall mail to every nurse registered in the state of Maine under the provision of this chapter, a notice stating the date of expiration of said certificate, said notice to be addressd in accordance with the post office address given at the last previous registration. Any nurse failing to renew registration on or before December thirty-first of any year shall by such failure (and without any act on the part of the board to be performed) forfeit the right to practice as registered nurse. The board may, for reason satisfactory to it, renew registrations after said December thirty-first, provided a fee of one dollar shall have been paid for each year during which said nurse has not been registered.

The board shall annually make a report to the governor and council showing its receipts and disbursements in detail, the names of persons to whom certificates have been issued, and the names of persons whose certificates have been revoked with the reason therefor, during each fiscal year ending on the thirtieth day of June.'

**Sec. 3. R. S., c. 18, sec. 20; relating to time of examination, eligibility, etc., amended.** Section twenty of chapter eighteen of the revised statutes of Maine, as amended, is hereby amended by striking out all of said section after the word "applicant" in the tenth line and substituting therefor the following: "The board shall admit to examination for registration any applicant who shall pay a fee of ten dollars and submit satisfactory evidence that he or she:

- (a) Is more than twenty-one years of age and of good moral character;
- (b) Has had at least two years high school education or its equivalent;
- (c) Has taken a full course of not less than two years in the same school of nursing from which he or she has graduated and received a diploma, said school of nursing to be one approved by the board of registration, and presided over by a nurse registered by the board of registration of nurses of this state.

The examination to be given shall be such as will determine the fitness of the applicant to practice professional nursing, and shall include the sub-

jects of practical nursing, anatomy, physiology, bacteriology, materia medica, dietetics, pediatrics, hygiene, medical, surgical and obstetrical nursing, or in case of male nurses, genito-urinary, and any other subjects deemed by the board necessary to maintain proper standards. Any applicant passing said examination, to the satisfaction of the board, shall receive a certificate of registration within three months of said examination. The board may register, without examination, upon the payment of a fee of ten dollars, any person who has been registered by examination as a professional nurse in another state under laws which, in the opinion of the board, maintain a standard not lower than that maintained in this state.' So that said section as amended shall read as follows:

'Sec. 20. Examinations held when deemed necessary; fee; age; education; subjects in which applicant shall be examined. At each annual meeting and at such special meetings as said board may deem necessary to hold for that purpose, the board shall examine all applicants for registration to determine their qualifications for the efficient nursing of the sick, and shall decide upon the qualifications of every such applicant and give notice of their decision within three months from the date of such examination. Notice of each meeting whether annual or special, shall be given by publication at least one month previous to each meeting in such newspaper and nursing journals as the board may determine. Application for registration shall be made upon blanks furnished by the board and shall be signed and sworn to by applicant.

The board shall admit to examination for registration any applicant who shall pay a fee of ten dollars and submit satisfactory evidence that he or she:

- (a) Is more than twenty-one years of age and of good moral character;
- (b) Has had at least two years high school education or its equivalent;
- (c) Has taken a full course of not less than two years in the same school of nursing from which he or she has graduated and received a diploma, said school of nursing to be one approved by the board of registration, and presided over by a nurse registered in accordance with the requirements of this act.

The examination to be given shall be such as will determine the fitness of the applicant to practice professional nursing and shall include the subjects of practical nursing, anatomy, physiology, bacteriology, materia medica, dietetics, pediatrics, hygiene, medical, surgical, and obstetrical nursing, or in case of male nurses, genito-urinary, and any other subjects deemed by the board necessary to maintain proper standards. Any applicant passing said examinations, to the satisfaction of the board, shall receive a certificate of registration within three months of said examination.

The board may register, without examination, upon payment of a fee

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of ten dollars, any person who has been registered by examination as a professional nurse in another state under laws which, in the opinion of the board, maintain a standard not lower than that maintained in this state.'

**Sec. 4. R. S., c. 18, sec. 21; relating to registration without examination, amended.** Section twenty-one of chapter eighteen of the revised statutes of Maine as amended is hereby amended by striking out said section and substituting therefor the following:

'**Sec. 21. Registration may be cancelled on 30 days' notice of charges.** Said board, by a majority vote of all its members, may cancel or suspend the registration of any person as a nurse who may be found guilty of neglect of duty, or of inefficiency, or of any act derogatory to the standing and morals of professional nursing, but before any certificate of registration shall be revoked, the holder thereof shall be entitled to thirty days' notice of the charges against him or her, and to a full and fair hearing thereon.'

**Sec. 5. R. S., c. 18, sec. 22; relating to registration, amended.** Section twenty-two of chapter eighteen of the revised statutes of Maine as amended is hereby amended by striking out said section and substituting therefor the following:

'**Sec. 22. Credential committee; must determine and approve qualifications; public health nursing defined.** A credential committee, which shall be a sub-committee of the board of registration of nurses, shall be appointed annually to act upon the applications and qualifications of nurses employed in public health work. This committee shall be composed of three registered nurses—one from the board of registration of nurses of Maine, one from the public health section of the Maine state nurses' association, and one from the division of public health nursing of the state department of health. These members shall be appointed by their respective organizations.

No graduate nurse shall be employed in public health nursing unless registered by the board of registration of nurses of this state, and unless her qualifications for such work shall have been determined and approved by said credential committee.

Public health nursing within the meaning of this section shall be deemed to include nursing done by any graduate nurse in any form of social work in which the health of the public is concerned.'

**Sec. 6. R. S., c. 18, sec. 23; relating to practicing professional nursing without certificate, amended.** Section twenty-three of chapter eighteen of the revised statutes of Maine as amended is hereby amended by striking out said section and substituting therefor the following:



**Sec. 23. Practicing as a registered nurse without certificate prohibited; penalty.** No person shall practice nursing in this state as a registered nurse without having a certificate of registration. No nurse shall continue to practice as a registered nurse without renewing his or her certificate or after his or her certificate shall have been revoked. All registrations which are now in effect shall continue for the terms for which they have been granted. A nurse who has received such certificate and pin shall be styled and known as a "Registered Nurse," and no other person shall assume such title, use the pin, the abbreviation "R. N.," or any other words, letters or figures to indicate that the person using the same is a registered nurse. Whoever violates any provision of this section or any provision of the six preceding sections, or wilfully makes a false representation to said board in applying for a certificate of registration, shall be punished by fine of not more than one hundred dollars, and shall have his or her certificate revoked; provided, that nothing in this section or in the six preceding sections shall apply to the acts of any person nursing the sick, who does not represent himself or herself to be a registered nurse. The board shall cause to be presented to the proper prosecuting officer evidence of any violation of this section or of the six preceding sections, and may incur any necessary expenses in the performances of this duty, which expenses shall be paid out of the receipts of said board.'

**Sec. 7. R. S., c. 117, sec. 53; relating to board of registration of registered nurses, amended.** Section fifty-three of chapter one hundred and seventeen of the revised statutes of Maine as amended is hereby amended by striking out said section and substituting therefor the following:

**Sec. 53. Compensation of members of board of registration.** The members of the board of registration of nurses shall receive their actual necessary expenses incurred in the discharge of their official duties, and the secretary shall receive a salary to be fixed by the board, not exceeding three hundred dollars a year. The other members of the board shall each receive five dollars a day while actually engaged in attendance upon meetings of said board. The inspector of nursing schools shall also receive five dollars a day while actually engaged in his or her duties as such inspector.'

**Sec. 8. P. L., 1923, c. 102, sec. 3; relating to special examination, repealed.** Section three of chapter one hundred and two of the public laws of one thousand nine hundred and twenty-three is hereby repealed.

**Sec. 9. Inconsistent acts repealed.** All acts and parts of acts inconsistent with this act are hereby repealed.