

MAINE STATE LEGISLATURE

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ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

THE KNOWLTON AND McLEARY COMPANY
FARMINGTON, MAINE
1973

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature

1973

CHAPTER 514**AN ACT Relating to Physician Assistants.**

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

Sec. 1. R. S., T. 32, § 2608, additional. Title 32 of the Revised Statutes is amended by adding a new section 2608 to read as follows:

§ 2608. Assistants

Nothing contained in this chapter shall be construed to prohibit an individual from rendering medical services, if such services are rendered under the supervision and control of a physician or surgeon, provided that such individual shall have satisfactorily completed a training program approved by the Board of Osteopathic Examination and Registration. Supervision and control shall not be construed as requiring the personal presence of the supervising and controlling physician at the place where such services are rendered, unless such physical presence is necessary to provide patient care of the same quality as provided by the physician. Further, nothing in this chapter shall be construed as prohibiting a physician or surgeon from delegating to his employees certain activities relating to medical care and treatment now being carried out by custom and usage when such activities are under the direct control of and in the personal presence of the physician or surgeon. The physician delegating such activities, either to his employees, program graduates or to participants in an approved training program, shall be deemed legally liable for such activities of such persons, and such person shall in this relationship be construed as the physician's agent. Nothing contained in this section shall be construed to apply to registered nurses acting pursuant to chapter 31 of this Title.

When the delegated activities are part of the practice of optometry as defined in chapter 35, then the person to whom such activities are delegated shall possess a valid license to practice optometry in Maine, or otherwise shall perform only as a technician within the established office of a physician, and otherwise acting solely on the order of and under the responsibility of a physician skilled in the treatment of eyes as designated by the proper professional board, and without assuming evaluation or interpretation of examination findings by prescribing corrective procedures to preserve, restore or improve vision.

Sec. 2. R. S., T. 32, § 3270-A, additional. Title 32 of the Revised Statutes is amended by adding a new section 3270-A, to read as follows:

§ 3270-A. Assistants

Nothing contained in this chapter shall be construed to prohibit an individual from rendering medical services, if such services are rendered under the supervision and control of a physician or surgeon, provided that such individual shall have satisfactorily completed a training program approved by the Board of Registration in Medicine. Supervision and control shall not be construed as requiring the personal presence of the supervising and controlling physician at the place where such services are rendered, unless such physical presence is necessary to provide patient care of the same quality as

provided by the physician. Further, nothing in this chapter shall be construed as prohibiting a physician or surgeon from delegating to his employees certain activities relating to medical care and treatment now being carried out by custom and usage when such activities are under the direct control of and in the personal presence of the physician or surgeon. The physician delegating such activities, either to his employees, program graduates or to participants in an approved training program, shall be deemed legally liable for such activities of such persons, and such person shall in this relationship be construed as the physician's agent. Nothing contained in this section shall be construed to apply to registered nurses acting pursuant to chapter 31 of this Title.

When the delegated activities are part of the practice of optometry as defined in chapter 35, then the person to whom such activities are delegated shall possess a valid license to practice optometry in Maine, or otherwise shall perform only as a technician within the established office of a physician, and otherwise acting solely on the order of and under the responsibility of a physician skilled in the treatment of eyes as designated by the proper professional board, and without assuming evaluation or interpretation of examination findings by prescribing corrective procedures to preserve, restore or improve vision.

Effective October 3, 1973

CHAPTER 515

AN ACT Amending the Mountain Resorts Airport Authority Act.

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

Sec. 1. R. S., T. 10, § 7052, sub-§ 5, amended. Subsection 5 of section 7052 of Title 10 of the Revised Statutes, as enacted by chapter 430 of the public laws of 1969, is amended to read as follows:

5. Airports. To construct or acquire, extend, enlarge, repair or improve airports in the mountain resort regions within the State as may be determined by the authority, except that the authority shall not construct an airport without the prior approval of the Legislature;

Sec. 2. P. & S. L., 1969, c. 152, § 5, amended. Section 5 of chapter 152 of the private and special laws of 1969 is amended by adding after the first paragraph a new paragraph to read as follows:

The Secretary of State shall not call, hold or conduct the referendum provided for herein until he has received permission from the Legislature to call, hold and conduct said referendum.

Effective October 3, 1973

CHAPTER 516

AN ACT Relating to Seasonal Employment under the Employment Security Law.

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

R. S., T. 26, § 1251, sub-§ 3, additional. Title 26 of the Revised Statutes is amended by adding a new subsection 3 to read as follows: