

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

PORTLAND LITHOGRAPH COMPANY
PORTLAND, MAINE
1977

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND EIGHTH LEGISLATURE

1977

10. Deeds by parent corporation. Deeds made by a parent corporation to its subsidiary corporation for no consideration other than shares of stock of the subsidiary corporation.

Effective October 24, 1977

CHAPTER 395

AN ACT to Clarify the Definition of Professional Nursing and Practical Nursing.

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

Sec. 1. 32 MRSA § 2102, sub-§ 2, as last amended by PL 1973, c. 788, § 155, is repealed and the following enacted in its place:

2. Professional nursing. The practice of "professional nursing" means the performance for compensation of any of the services which necessitate the specialized knowledge, judgment and skill required for the application of nursing as based upon principles of biological, physical and behavioral sciences in the following areas:

A. Observation, assessment, care, treatment, counsel and health teaching of persons who are experiencing normal developmental changes or who require assistance in the maintenance of health or the management of health or the management of illness, injury or infirmity;

B. Collaboration with licensed physicians, dentists and other health care providers in establishing and implementing a plan of health care;

C. Diagnosis of illness or prescription of therepeutic or corrective measures when such services are delegated by a physician to a registered nurse who has completed the necessary additional educational program required for the proper performance of such services. Such programs shall be approved by the board;

D. Delegation of selected nursing services to licensed practical nurses or unlicensed personnel when such personnel have received appropriate training and instruction and such programs of training and instruction have been approved by the board. Delegation of such services shall not require the personal presence of the delegating professional nurse at the place where such services are performed, unless such personal presence is necessary to provide patient care of the same quality as provided by the professional nurse. The board shall issue such rules and regulations concerning delegation as it deems necsssary to insure the highest quality of health care to the patient;

E. Supervision and teaching of nursing personnel; and

F. Administration of medications and treatment as prescribed by a legally authorized person.

Sec. 2. 32 MRSA § 2102, sub-§ 3, as repealed and replaced by PL 1967, c. 263, § 2, is repealed and the following enacted in its place:

3. Practical nursing. The practice of "practical nursing" is defined as the performance of tasks and responsibilities for compensation, under the direction of a licensed or registered professional nurse, physician or dentist, including at least:

A. Observing and caring for the ill, injured or infirm;

B. Performing selected aspects of designated nursing services, requiring specialized knowledge, skill and judgment, but not requiring the qualifications essential for the practice of professional nursing;

C. Counseling and health teaching of persons who are experiencing normal developmental changes, or who require assistance in the maintenance of health, the management of health or the management of illness, injury or infirmity; and

D. Administering medications and treatment as prescribed by a legally authorized person.

Effective October 24, 1977

CHAPTER 396

AN ACT to Expedite the Construction of Natural Gas Pipelines in the State.

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

Whereas, there is presently a shortage of natural gas used for commercial, industrial, residential and governmental purposes at the national, state and local level; and

Whereas, proposals have been made and are pending to construct natural gas pipelines into and through the State to make available additional supplies of natural gas for consumption at the national, state and local levels for the users; and

Whereas, certain time delays are inherent in applying for certain state permits, licenses and governmental orders and it is necessary to shorten the administrative delays by expediting the ability of any natural gas pipeline company to file and process all necessary governmental approvals; and