

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Twin City Printery
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PUBLIC LAWS

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profit, which is engaged in providing acute, restorative, rehabilitative, maintenance, preventive or health promotion services through professional nursing and at least one other therapeutic service, such as physical therapy, occupational therapy, speech pathology, home health aides, nurse assistants, medical social work and nutritionist services, either directly or through contractual agreement, in a client's place of residence. This term does not apply to any sole practitioner providing private duty nursing services or other restorative, rehabilitative, maintenance, preventive of health promotion services in a client's place or residence. In addition, this term does not apply to hospitals, skilled nursing facilities or intermediate care facilities providing in-home services exempt from licensure under section 2147, subsection 10.

Sec. 2. 22 MRSA §2147, sub-§10, as amended by PL 1985, c. 189, §2, is further amended to read:

10. Facilities licensed pursuant to chapter 405. Hospitals, intermediate care facilities, skilled nursing facilities or other facilities licensed pursuant to chapter 405 when the services are provided to clients residing in those facilities, or to 6 or fewer clients at any one time in their homes under a plan of care approved by the department or its designee when it is documented in the patient's record that the licensed home health care agency or agencies serving the patient's area:

A. Have indicated that they are unable to provide those services; or

B. Agree that the plan of care is an acceptable plan.

The plan of care must meet standards for staff qualifications and supervision consistent with the standards required of licensed home health care providers;

Effective September 29, 1987.

CHAPTER 487

S.P. 606 — L.D. 1796

AN ACT to Allow Increased Participation of State Employees in the Electoral Process.

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

5 MRSA §7056, sub-§3, as enacted by PL 1985, c. 785, Pt. B, §38, is amended to read:

3. Candidacy for elective office. No officer or employee in the classified service of this State may be a candidate for elective office in a partisan public election other than for a local office. This subsection shall not be construed as to prohibit any such officer or employee of the State from being a candidate in any election if none of the candidates is to be nominated or elected at that election as representing a party, any of whose candidates

for presidential elector received votes in the last preceding election at which presidential electors were selected. Law enforcement officers shall continue to be subject to departmental rules regarding procedures on candidacy.

Effective September 29, 1987.

CHAPTER 488

S.P. 365 — L.D. 1100

AN ACT to License Acupuncturists.

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

Sec. 1. 5 MRSA §12004, sub-§1, ¶A, sub-¶(2-A) is enacted to read:

(2-A)	<u>Acupuncture Licensing Board</u>	<u>Expenses Only</u>	<u>32 MRSA §12406</u>
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Sec. 2. 10 MRSA §8001, as repealed and replaced by PL 1985, c. 737, Pt. A, §21, and as amended by PL 1985, c. 819, Pt. A, §15, is repealed and the following enacted in its place:

§8001. Department; organization

There is created and established the Department of Professional and Financial Regulation, in this chapter referred to as the "department," to regulate financial institutions, insurance companies, commercial sports, grantors of consumer credit and to license and regulate professions and occupations. The department shall be composed of the following bureaus, boards and commissions:

Banking, Bureau of;

Consumer Credit Protection, Bureau of;

Insurance, Bureau of;

Athletic Commission, Maine;

Pilotage Commission, Maine State;

Real Estate Commission;

Running Horse Racing Commission, State;

Arborist Examining Board;

Auctioneers, Board of Licensing of;

Barbers, State Board of;

Commercial Driver Education, Board of;

Dietetic Practice, Board of Registration of;