

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

SECOND SPECIAL SESSION
September 5, 1996 to September 7, 1996

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 4, 1996 to March 27, 1997

FIRST SPECIAL SESSION
March 27, 1997 to June 20, 1997

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 26, 1997

FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 1997

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

J.S. McCarthy Company
Augusta, Maine
1997

applicant is a graduate of a school or college of osteopathic medicine approved by the American Osteopathic Association and that the license was obtained in the other state. The board may at its discretion require an examination of any such applicant.

Sec. 5. 32 MRSA §2573, as amended by PL 1993, c. 600, Pt. A, §175, is further amended to read:

§2573. Temporary licensure

An osteopathic physician in good repute who is a graduate of ~~an accredited osteopathic college or university having the power to grant a D.O. degree a~~ school or college of osteopathic medicine approved by the American Osteopathic Association, serving as a fellow, intern or resident physician in a hospital in this State, shall register with the board and must be issued a temporary license by the board evidencing the right to practice only under hospital control. Such a license may not be issued for a period in excess of one year but may be renewed from time to time, not to exceed an aggregate of 5 years. The license must be in a form prescribed by the board and may be revoked or suspended by the board with the suspension or revocation effective immediately when written notification from the board is received by the hospital. An examination may not be required for applicants for this temporary license. The fee for such a license may not be more than \$300.

Sec. 6. 32 MRSA §2574, as amended by PL 1993, c. 600, Pt. A, §176, is further amended to read:

§2574. Locum tenens

An osteopathic physician ~~having a D.O. degree from an~~ who is a graduate of a school or college of osteopathic medicine approved by the American Osteopathic Association ~~accredited osteopathic college or university~~ and who is of good repute may, at the discretion of the board, be given a temporary license to be effective for not more than 6 months after issuance, for the purpose of permitting the physician to serve as "locum tenens" for another osteopathic physician who is unable, because of illness or some other substantiated reason, to maintain the practice, thus fulfilling a need in that area for providing health services. The fee for such a license may be not more than \$500.

Sec. 7. 32 MRSA §2575, as amended by PL 1993, c. 600, Pt. A, §177, is further amended to read:

§2575. Camp physicians

An osteopathic physician ~~being~~ who is a graduate of ~~an accredited osteopathic college or university having the power to grant a D.O. degree a~~ school or college of osteopathic medicine approved by the

American Osteopathic Association and who is of good repute may, at the discretion of the board, make application for a temporary license to practice as a camp physician at a specified camp. Such an osteopathic physician is entitled to practice only on the patients at the camp. The license must be obtained each year. Applications for such a temporary license must be made in the same manner as for regular licenses. An examination may not be exacted from applicants for temporary licenses. The fee may not be more than \$500.

Sec. 8. 32 MRSA §2581, fourth ¶, as amended by PL 1993, c. 600, Pt. A, §180, is further amended to read:

The license entitles an individual to whom it is granted the privilege to practice osteopathic medicine in any county in this State, in all its branches as taught in a school or college of osteopathic medicine approved by the American Osteopathic Association ~~approved colleges and universities of osteopathic medicine~~ with the right to use drugs that are necessary in the practice of osteopathic medicine.

See title page for effective date.

CHAPTER 51

S.P. 327 - L.D. 1105

**An Act to Exempt Public Airports
with Approved Airport Layout Plans
from Subdivision Review**

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

Sec. 1. 30-A MRSA §4402, sub-§§2 and 3, as enacted by PL 1989, c. 104, Pt. A, §45 and Pt. C, §10, are amended to read:

2. Previously existing subdivisions. Subdivisions in actual existence on September 23, 1971 that did not require approval under prior law; ~~or~~

3. Previously recorded subdivisions. A subdivision, a plan of which had been legally recorded in the proper registry of deeds before September 23, 1971; ~~or~~

Sec. 2. 30-A MRSA §4402, sub-§4 is enacted to read:

4. Airports with an approved airport layout plan. Any airport with an airport layout plan that has received final approval from the airport sponsor, the

Department of Transportation and the Federal Aviation Administration.

See title page for effective date.

CHAPTER 52

H.P. 650 - L.D. 903

An Act to Maintain the Department of Transportation's Current Policy on Reimbursement of Consultant Costs

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

Sec. 1. 23 MRSA §52, as amended by PL 1973, c. 625, §128, is further amended by adding a new paragraph at the end to read:

In order to promote engineering and design quality and ensure maximum competition by firms providing consultant services, the department may adopt its own guidelines for determining the reasonableness and permissibility of various cost factors including, but not limited to, salary limits, benefits and expense reimbursement. Notwithstanding any other federal or state law to the contrary, the department's guidelines must be utilized in lieu of federally mandated provisions.

See title page for effective date.

CHAPTER 53

H.P. 237 - L.D. 301

An Act to Provide Representation for Dentists on the Board of the Maine Health Data Organization

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

Sec. 1. 22 MRSA §8703, sub-§2, as enacted by PL 1995, c. 653, Pt. A, §2 and affected by §7, is amended to read:

2. Board of directors. The organization operates under the supervision of a board of directors, which consists of ~~45~~ 16 voting members.

A. The Governor shall appoint ~~13~~ 14 board members in accordance with the following requirements. Appointments by the Governor are not subject to review or confirmation.

(1) Three members must represent consumers. For the purposes of this section, "consumer" means a person who is not affiliated with or employed by a 3rd-party payor, a provider or an association representing those providers or those 3rd-party payors.

(2) Two members must represent employers.

(3) Two members must represent 3rd-party payors.

(4) ~~Six~~ Seven members must represent providers. Two provider members must represent hospitals chosen from a list of at least 5 current hospital representatives provided by the Maine Hospital Association. Two provider members must be physicians or representatives of physicians chosen from a list of at least 5 nominees provided jointly by the Maine Medical Association and the Maine Osteopathic Association. One provider member must be a dentist chosen from a list of at least 3 nominees provided by the Maine Dental Association. Two provider members must be representatives of other health care providers, at least one of whom is a current representative of a home health care company.

B. The commissioner shall appoint 2 members who are employees of the department to represent the State's interest in maintaining health data and to ensure that information collected is available for determining public health policy.

C. All appointments must be completed by May 1, 1996.

Sec. 2. Appointment deadline. The appointment of the additional provider member pursuant to section 1 of this Act must be no later than October 15, 1997.

See title page for effective date.

CHAPTER 54

H.P. 70 - L.D. 95

An Act Concerning Prisoner Participation in Public Works Projects

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