

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 13, 2002 to November 14, 2002**

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 2002 to June 14, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**FEBRUARY 13, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 13, 2003**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2003**

be equipped with auxiliary lights that emit an amber light.

See title page for effective date.

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## CHAPTER 210

### H.P. 252 - L.D. 309

#### An Act To Require Church Officials To Report Suspected Abuse

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

**Sec. 1. 22 MRSA §3477, sub-§1, ¶¶A and B**, as enacted by PL 2001, c. 345, §3, are amended to read:

A. While acting in a professional capacity:

- (1) An allopathic or osteopathic physician;
- (2) A medical intern;
- (3) A medical examiner;
- (4) A physician's assistant;
- (5) A dentist;
- (6) A chiropractor;
- (7) A podiatrist;
- (8) A registered or licensed practical nurse;
- (9) A certified nursing assistant;
- (10) A social worker;
- (11) A psychologist;
- (12) A pharmacist;
- (13) A physical therapist;
- (14) A speech therapist;
- (15) An occupational therapist;
- (16) A mental health professional;
- (17) A law enforcement official;
- (18) A coroner;
- (19) Emergency room personnel;
- (20) An ambulance attendant;
- (21) An emergency medical technician; ~~or~~
- (22) Unlicensed assistive personnel; ~~or~~ and

(23) A clergy member acquiring the information as a result of clerical professional work except for information received during confidential communications;

B. Any ~~other~~ person who has assumed full, intermittent or occasional responsibility for the care or custody of the adult, regardless of whether ~~or not~~ the person receives compensation; and

**Sec. 2. 22 MRSA §3477, sub-§1, ¶C** is enacted to read:

C. Any person affiliated with a church or religious institution who serves in an administrative capacity or has otherwise assumed a position of trust or responsibility to the members of that church or religious institution, while acting in that capacity, regardless of whether the person receives compensation.

**Sec. 3. 22 MRSA §4011-A, sub-§1, ¶¶A and B**, as enacted by PL 2001, c. 345, §5, are amended to read:

A. When acting in a professional capacity:

- (1) An allopathic or osteopathic physician, resident or intern;
- (2) An emergency medical services person;
- (3) A medical examiner;
- (4) A physician's assistant;
- (5) A dentist;
- (6) A dental hygienist;
- (7) A dental assistant;
- (8) A chiropractor;
- (9) A podiatrist;
- (10) A registered or licensed practical nurse;
- (11) A teacher;
- (12) A guidance counselor;
- (13) A school official;
- (14) A children's summer camp administrator or counselor;
- (15) A social worker;
- (16) A court-appointed special advocate or guardian ad litem for the child;

- (17) A homemaker;
- (18) A home health aide;
- (19) A medical or social service worker;
- (20) A psychologist;
- (21) Child care personnel;
- (22) A mental health professional;
- (23) A law enforcement official;
- (24) A state or municipal fire inspector;
- (25) A municipal code enforcement official;
- (26) A commercial film and photographic print processor;
- (27) A clergy member acquiring the information as a result of clerical professional work except for information received during confidential communications; ~~or and~~
- (28) A chair of a professional licensing board that has jurisdiction over mandated reporters; or

B. Any ~~other~~ person who has assumed full, intermittent or occasional responsibility for the care or custody of the child, regardless of whether ~~or not~~ the person receives compensation; and

**Sec. 4. 22 MRSA §4011-A, sub-§1, ¶C** is enacted to read:

C. Any person affiliated with a church or religious institution who serves in an administrative capacity or has otherwise assumed a position of trust or responsibility to the members of that church or religious institution, while acting in that capacity, regardless of whether the person receives compensation.

See title page for effective date.

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## CHAPTER 211

H.P. 849 - L.D. 1146

### An Act To Allow Licensure of Graduates of Social Work Programs That Are in Candidacy for Accreditation

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

**Whereas,** allowing licensure of graduates of social work or social welfare programs at institutions that are in candidacy for national accreditation would increase the number of qualified applicants for social work positions in the State without threatening the safety of the public; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 32 MRSA §7053, sub-§2,** as amended by PL 1985, c. 736, §11, is further amended to read:

**2. Licensed master social worker.** As a licensed master social worker, an applicant ~~shall~~ must have received either a masters or doctoral degree in social work or social welfare from an accredited educational institution or an institution in candidacy for accreditation from the Council on Social Work Education or a successor organization, ~~shall~~ must have demonstrated to the satisfaction of the board adherence to the ethics of the social work profession and ~~shall~~ must have successfully completed the examination prescribed by the board. After meeting these qualifications, the applicant ~~shall~~ must receive a "licensed master social worker" license. In addition, any person wishing to practice social work in a clinical setting ~~shall~~ must receive a "licensed master social worker, conditional" license.

This subsection is repealed July 1, 2005.

**Sec. 2. 32 MRSA §7053, sub-§2-A** is enacted to read:

**2-A. Licensed master social worker.** As a licensed master social worker, an applicant must have received either a masters or doctoral degree in social work or social welfare from an accredited educational institution, must have demonstrated to the satisfaction of the board adherence to the ethics of the social work profession and must have successfully completed the examination prescribed by the board. After meeting these qualifications, the applicant must receive a "licensed master social worker" license. In addition, any person wishing to practice social work in a clinical setting must receive a "licensed master social worker, conditional" license.

This subsection takes effect July 1, 2005.