

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 2016 to August 2, 2017

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
NOVEMBER 1, 2017

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

Augusta, Maine
2017

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective May 21, 2017.

CHAPTER 79

H.P. 626 - L.D. 877

An Act To Allow Learner's Permits To Be Issued by Driver Education Schools

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

Sec. 1. 29-A MRSA §1304, sub-§1-A, as amended by PL 2015, c. 114, §1, is further amended to read:

1-A. Learner's permit; issuance. The following provisions apply to the issuance of a learner's permit.

A. Fees for a learner's permit may be collected ~~only~~ by the Secretary of State in accordance with section 154, subsection 1 or by the provider of a driver education course under section 1351, which shall deposit the fees with the Secretary of State.

B. Any required application materials for a learner's permit may be collected ~~only~~ by the Secretary of State or by the provider of a driver education course under section 1351, which shall forward the materials to the Secretary of State.

C. Any required examination for a learner's permit may be administered only by the Secretary of State except that the Secretary of State may waive this requirement on receipt of a course completion certificate under section 1351, subsection 3.

D. A learner's permit may be issued ~~only~~ by the Secretary of State or by the provider of a driver education course under section 1351.

See title page for effective date.

CHAPTER 80

H.P. 581 - L.D. 801

An Act To Allow a Physical Therapist To Administer Certain Coagulation Tests in a Patient's Home

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

Whereas, the need for home care medical services is rapidly increasing as Maine's population ages

and the prevalence of chronic conditions increases; and

Whereas, providing health services in the home keeps people out of more costly institutional settings and allows people to live at home for as long as it is safe and practical for them to do so; and

Whereas, home health care services are provided by collaborative teams of nurses, therapists, aides and others and the industry is facing critical workforce challenges; and

Whereas, physical therapists who are already visiting patients in their homes have more than adequate education to perform finger stick blood tests to assess blood clotting levels, and allowing them to perform these tests will save the expense of sending nurses to the patients' homes to perform these tasks; and

Whereas, delaying the effective date of this bill will add to the financial and workforce challenges faced by the home health care industry; 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 §3111-A, as enacted by PL 2007, c. 402, Pt. N, §2, is amended by adding at the end a new paragraph to read:

A person licensed as a physical therapist under this chapter may, as part of an evaluation of a person in preparation for treatment by the physical therapist, perform a finger stick blood test in the person's home to assess blood clotting levels of that person. If a person licensed as a physical therapist performs a finger stick blood test pursuant to this section, that person shall communicate the test results to the prescribing health care practitioner. Only the health care practitioner may interpret the test results, determine whether a change is needed in the person's plan of care and make decisions with respect to medication adjustments.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective May 26, 2017.