

# MAINE STATE LEGISLATURE

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REVISED STATUTES  
OF THE  
STATE OF MAINE

1954

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1957 CUMULATIVE SUPPLEMENT

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ANNOTATED

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IN FIVE VOLUMES

VOLUME 2

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**Place in Pocket of Corresponding  
Volume of Main Set**

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THE MICHIE COMPANY  
CHARLOTTESVILLE, VIRGINIA  
1957

## Chapter 70.

### Licensed Practical Nurses.

#### Sec. 1. Licensed practical nurses.—

**I. Definition.** As used in this chapter, "board" means the "board of registration of nurses."

**II. Qualifications of applicants.** An applicant for a license to practice as a licensed practical nurse shall submit to the board written evidence, verified by oath, that the applicant:

- A.** Is 19 years of age; (1955, c. 212, § 1)
- B.** Is of good moral character;
- C.** Is in good physical and mental health;
- D.** Has completed at least 1 year of high school or its equivalent and such other preliminary qualification requirements as the board may prescribe; applicants over 30 years of age shall have completed at least the 8th grade or its equivalent; (1945, c. 378, § 60)
- E.** Has successfully completed an accredited course for the training of licensed practical nurses.

#### III. License.

**A. By examination.** The applicant shall be required to pass a written examination in such subjects as the board may determine. Each written examination may be supplemented by an oral or practical examination. Upon successfully passing such examination the board shall, within 3 months, issue to the applicant a license to practice as a licensed practical nurse.

**B. Without examination; persons licensed under the laws of another state, etc.** The board may issue a license to practice as a licensed practical nurse without examination to any applicant who has been duly licensed or registered as a licensed practical nurse, or a person entitled to perform similar services under a different title under the laws of another state, territory or foreign country if, in the opinion of the board, the applicant meets the requirements for licensed practical nurses in this state.

**IV. Fee.** The applicant applying for a license to practice as a licensed practical nurse shall pay a fee of \$10 to the board. (1955, c. 212, § 2)

**V. Title and abbreviation.** Any person who holds a license to practice as a licensed practical nurse in this state shall have the right to use the title "Licensed Practical Nurse" and abbreviation "L. P. N." No other person shall assume such title or use such abbreviation or other words, letters, signs or figures to indicate that the person using the same is a licensed practical nurse. (1945, c. 265; c. 378, § 60. 1955, c. 59, §§ 1, 2; c. 212, §§ 1, 2.)

**Effect of amendments.**—The first 1955 amendment substituted "Licensed Practical Nurse" for "Licensed Nursing Attendant" and "L. P. N." for "L. N. A." in the first sentence of subsection V, and substituted "practical nurse" for "nursing attendant" and "practical nurses" for "nursing attendants" throughout the section.

Section 1 of the first amendatory act expressly amended the first sentence of subsection V of this section as shown

above. Section 2 of the first amendatory act provides: "Wherever in the Revised Statutes or public laws, the words 'nursing attendant' or 'nursing attendants' appear they shall be repealed and the words 'practical nurse' or 'practical nurses' enacted in place thereof."

The second 1955 amendment changed paragraph A of subsection II by substituting "19" and "20." It also substituted "practical nurse" for "nursing attendant" and "\$10" for "\$5" in subsection IV.

**Sec. 2. Renewal of license.**—The license of every person licensed under the provisions of this chapter shall be in force from the date of issue until one year from and after the first day of the following July. Such license may be re-

renewed annually. On or before May 1st the board shall mail an application for renewal of license to every person whose license is subject to renewal. The applicant shall fill in the application blank and return it to the board with a renewal fee of \$1 before July 1st. Upon receipt of the application and fee, the board shall verify the accuracy of the application and issue to the applicant a certificate of renewal for the year beginning July 1st and expiring June 30th. Any licensee who allows his or her license to lapse by failing to renew the license as provided may be reinstated by the board on satisfactory explanation of such failure to renew his or her license and on payment of all fees in arrears. (1945, c. 265. 1957, c. 196, § 5.)

**Effect of amendment.**—Prior to the 1957 amendment the licenses were renewed biennially.

#### **Sec. 4. Courses for training practical nurses.—**

**I. Application for accreditation.** Any person or persons desiring to conduct a school for training practical nurses shall apply to the board and submit evidence of being prepared to give a course of not less than 12 months and to meet the standards prescribed by the statutes and by the board for the training of practical nurses. (1957, c. 196, § 6)

**II. Survey.** A survey of the school which is planning to train practical nurses shall be made by the board. If, in the opinion of the board, the requirements for an accredited course for the training of practical nurses are met, it shall approve the school as an accredited school for the training of practical nurses.

From time to time as deemed necessary by the board it shall be the duty of the board to survey all schools of training of practical nurses in the state. If the board determines that any accredited school for the training of practical nurses is not maintaining the standards required by the statutes and by the board, notice thereof in writing specifying the defect or defects shall immediately be given to the school conducting the course. If defects are not corrected within a reasonable time, the school shall be removed from the list of accredited schools for licensed practical nurses. (1945, c. 265. 1955, c. 59, § 2. 1957, c. 196, § 6.)

**Effect of amendments.**—The 1955 amendment substituted "practical nurses" for "nursing attendants" throughout the section. See note to § 1 of this chapter. Prior to the 1957 amendment the length of the course mentioned in subsection I was "not less than 9 months nor more than 12 months".

**Sec. 5. Penalties.**—It shall be unlawful for any person, including any corporation, association or individual, to:

**I.** Sell or fraudulently obtain or furnish any practical nurse's diploma, license or record or aid or abet therein.

**II.** Use in connection with his or her name any designation tending to imply that he or she is a licensed practical nurse unless duly licensed so to practice under the provisions of this chapter.

**III.** Practice as a licensed practical nurse during the time his or her license issued under the provisions of this chapter shall be suspended or revoked.

Whoever violates any provision of this chapter or willfully makes a false representation to the board shall be punished by a fine of not more than \$100 and shall have his or her license revoked; provided that nothing in this section shall apply to the acts of any person nursing the sick who does not represent himself or herself to be a licensed practical nurse. The board shall cause to be presented to the proper prosecuting officer evidence of any violation of this chapter and may incur any necessary expenses in the performance of this duty which expenses shall be paid out of the receipts of said board.

Upon receipt of written complaint or information indicating the advisability of hearing and after hearing, said board may cancel or suspend the license of any li-

censed practical nurse who may be found guilty of neglect of duty, or of inefficiency, or any act derogatory to the standing and morals of attendant nursing, but before any license shall be revoked, the holder thereof shall be entitled to 30 days' notice of the charges against him or her and to a full and fair hearing thereon.

Any license which has been canceled shall be returned by the holder thereof to the board, and upon failure of prompt return, shall be taken by any officer of the peace upon request of the board and returned to the board. (1945, c. 265. 1955, c. 59, § 2.)

**Effect of amendment.**—The 1955 amendment substituted “practical nurse” for “nursing attendant” throughout the section. See note to § 1 of this chapter.

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## Chapter 71.

### Registration of Osteopaths.

#### Sec. 7. Certificate publicly displayed; rights under certificate.

Any osteopathic physician of good repute who is a graduate of an accredited osteopathic college, serving as an intern, resident physician or surgeon in a hospital in this state, shall register with the board and be issued a certificate by the board evidencing the right of such a person to hold a temporary license to practice only in said hospital. Such a certificate 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 certificate shall be in a form prescribed by the board and may be revoked or suspended at any time by the board with such suspension or revocation effective when written notification from the board is received by the hospital. (R. S. c. 64, § 7. 1953, c. 294, § 4. 1955, c. 167.)

**Effect of amendment.**—The 1955 amendment added the above paragraph at the end of this section. As original paragraph of the section was not changed by the amendment, it is not set out.

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## Chapter 72.

### Registration of Chiropractors.

**Sec. 4. Examination and registration.**—Any person, before engaging in the practice of chiropractic in this state, shall make application for a certificate to practice chiropractic to the board on a form prescribed by said board. Said application shall be filed with the secretary of the board at least 7 days before the date of examination, together with a deposit of \$25, which said deposit shall be returned to applicant in case the application is rejected. Each applicant must be at least 21 years of age and shall present proof of 2 years' satisfactory attendance at a college of liberal arts. On and after the calendar year 1959 candidates for licensure shall be required to present transcripts from an accredited college or university certifying that they have completed 2 years of preprofessional work, 2 subjects of which must be English and biology, or otherwise satisfy the members of the board of sufficient prior academic education. The applicant shall also present a diploma granted by a legally chartered chiropractic college, school or university in good standing and having the power to confer degrees in chiropractic, which diploma shall show that it was granted on personal attendance of the applicant and completion of a course of 4 school years of not less than 8 months each and of a total of 4,400 60-minute school hours. All applicants must also present a certificate of good moral character signed by some reputable resident of this state and such other reasonable and proper facts as the board in its blank application may require. (R. S. c. 65, § 4. 1945, c. 12. 1953, c. 104, § 2. 1955, c. 152.)

**Effect of amendment.**—The 1955 amendment substituted “2 years'” for “1 year's” and “2 years” for “1 year” in the fourth sentence, in the third sentence and “1959” for “1957” sentence.