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**Department of
Professional and
Financial Regulation**

**PROGRAM
EVALUATION
REPORT**



September 24, 1997



ANGUS S. KING, JR.
GOVERNOR

STATE OF MAINE
DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION
35 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0035

S. CATHERINE LONGLEY
COMMISSIONER

September 15, 1997

The Honorable John T. Jenkins
Senate Chair, Joint Standing Committee on Business & Economic Development
The Honorable Marc J. Vigue
House Chair, Joint Standing Committee on Business & Economic Development
115 State House Station
Augusta ME 04333

Dear Senator Jenkins and Representative Vigue:

As required under the Governmental Evaluation Act, 3 M.R.S.A. §951 et seq., (the "Act"), enclosed please find the Program Evaluation Report for the Department of Professional and Financial Regulation dated September 15, 1997. As you know, the Act provides a mechanism for the orderly review of our department to ensure that its future existence, based on past performance, is justified. The process of evaluation is known as "sunset review."¹

The Department of Professional and Financial Regulation's mission is twofold: to provide reasonable regulation for those entities and individuals we regulate, and, to provide meaningful consumer protection to persons affected by the entities and individuals we regulate and license.

The Department encompasses four separately authorized agencies including the Bureau of Insurance, the Bureau of Banking with its affiliated Securities Division, the Office of Consumer Credit Regulation, and the Office of Licensing and Registration. The Superintendents of the Bureau of Banking and the Bureau of Insurance, as well as most of the occupational licensing boards housed within the Department, have independent regulatory authority.

¹ For purposes of this report, we have not included information on the six (6) regulatory boards that are affiliated with the Department and are considered part of the Department for state budget purposes. These boards - the Board of Osteopathic Licensure, the Board of Licensure in Medicine, the Board of Nursing, the Board of Optometry, the Board of Registration of Professional Engineers, and the Board of Dental Examiners - have been assigned separate dates for evaluation under the Act.



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The Honorable John T. Jenkins
The Honorable Marc J. Vigue
September 15, 1997
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The report gives you a broad overview of our purpose and programs. Consistent with the Act, the report provides a retrospective view of the Department over the past ten years, including information on our "dedicated" funding sources and expenses. The Department has witnessed changes in both form and substance during this period as it has taken on new programs and has implemented changes resulting from new state and federal laws. We have designed the report to highlight the primary areas in which you may have an interest.


The report also looks forward, providing the Legislature with a preview of emerging issues in the financial services and occupational licensing areas which ultimately will impact the Department and the public we serve. The Department plans to respond to many of these changes and challenges through implementation of our Strategic Plan, a copy of which has been included in the report.

The Department strives to meet the needs of the public and its varied constituencies by applying a balanced regulatory and enforcement philosophy. Innovation is critical to our success as we strive to provide services with limited resources. The use of "alternative delivery systems" and current technology and information systems is essential to achieving the Department's mission in the future.

Financial regulation and professional and occupational licensing continue to witness dynamic change as we move into the next century. We are confident that the Department has met its legislative purpose and mission for the report period and trust that you will find the report and accompanying information instructive.

We stand ready to provide you with any additional information you may require and look forward to presenting the report to you on September 24, 1997.

Sincerely,



S. Catherine Longley
Commissioner

cc: The Honorable Angus S. King, Governor
The Honorable Lloyd P. LaFountain, III
The Honorable Jane W. Saxl
Carrie McFadden, Office of Policy and Legal Analysis
Colleen McCarthy-Reid, Office of Policy and Legal Analysis

**DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION**

**GOVERNMENT EVALUATION ACT
PROGRAM EVALUATION REPORT**

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DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

**GOVERNMENT EVALUATION PROGRAM ACT
PROGRAM EVALUATION REPORT**

September 15, 1997

Submitted to

**JOINT STANDING COMMITTEE ON BUSINESS AND ECONOMIC
DEVELOPMENT**

EXECUTIVE SUMMARY

Introduction

The State Government Evaluation Act of 1995 was enacted to provide for orderly review of state departments and agencies to ensure that their future existence, based on past performance, is justified. The process of evaluation is known as "sunset review." The statute specifies ten areas of information to be included in the evaluation report.

Section 1: Enabling Legislation (State and Federal)

This section includes statutory citations to enabling legislation for the Office of the Commissioner, the Bureau of Banking and its Securities Division, the Office of Consumer Credit Regulation and the Office of Licensing and Registration. *Bureau of Insurance?*

Section 2: Description of Programs

The Department is charged with implementing and administering a wide variety of programs to achieve its public protection goals. The Department's Strategic Plan for Fiscal Years 1997 - 2001 sets forth programmatic descriptions and a statement of priorities, goals, objectives, and performance criteria. The Department's 1996 Annual Report also provides a description of agency programs.

**Section 3: Organizational Structure, Position Count, Job
Classifications**

The Department has 208 authorized positions, including positions of boards affiliated with the Department. The Department is organized into four agencies:

into four agencies: the Bureau of Insurance, Bureau of Banking/Securities, Office of Consumer Credit Regulation and the Office of Licensing and Registration. The Superintendents of the Bureau of Insurance and the Bureau of Banking as well as many occupational licensing boards of the Office of Licensing and Registration have independent regulatory authority.

Section 4: Compliance with Federal and State Safety & Health Laws including the Americans with Disabilities Act

The Department has established a Safety and Health Committee and has developed many policies designed to ensure compliance with health and safety laws and the Americans with Disabilities Act.

Section 5: Ten Year Financial Summary

The report presents a ten-year financial summary of revenues and expenses for agencies within the Department, including intradepartmental adjustments to support administrative functions of the Commissioner's Office. It should be noted that financial information regarding six boards affiliated with the Department, (Board of Licensure of Medicine, Board of Nursing, Board of Registration of Professional Engineers, Board of Dental Examiners, and the Board of Optometry and the Board of Osteopathic Licensure) are not included in the financial summary for the Department. Although by statute, these so-called "affiliated boards" are components of the Department's budget, the State Government Evaluation Act provides for separate sunset review of the affiliated boards.

Section 6: Regulatory Agenda and Summary of Rules Adopted

This section sets forth the Department's regulatory agenda for 1997. The Department undertook a comprehensive review of agency rules in 1995-96 under Executive Order 6 and has established a timetable for appropriate interim review and repeal of rules.

Section 7. Areas where efforts have been coordinated with other agencies or where they could be in the future.

The Department has developed a wide variety of relationships with other federal, state and local government agencies. These partnerships enhance the Department's ability to protect the public by ensuring a coordinated public protection effort. This section sets forth information on specific partnerships.

Section 8. Constituencies served by Agency, Changes or Projected Changes

The general public and regulated entities and individuals comprise the primary constituency of the Department. The report contains a description of agency-specific constituencies, and projected changes.

Section 9. Efforts at Alternative Delivery Systems, including Privatization

The Department has actively pursued alternative delivery systems to carry out its mission, including privatization of certain functions. The report provides agency-specific examples of efficiencies and improvements to its delivery systems.

Section 10. Emerging Issues for the Agency

The financial services industries continue to be dynamic areas for change. Trends in the area of professional and occupational licensing indicate future changes that will impact directly on the public. In this section, the Department previews for the Legislature new challenges in public protection in response to recent or anticipated changes in state and federal law.

**DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION**

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PROGRAM EVALUATION REPORT**

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DEVELOPMENT**

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1. ENABLING LEGISLATION (STATE AND FEDERAL)

OFFICE OF THE COMMISSIONER

10 MRSA §§8002 and 8003

BUREAU OF BANKING

9-B MRSA §§111 and 121

SECURITIES DIVISION/BUREAU OF BANKING

9-B MRSA §212-A

OFFICE OF CONSUMER CREDIT REGULATION

State:

- 1) 9-A MRSA §1-101 et seq. (Consumer Credit Code)
- 2) 32 MRSA §11011 et seq. (Fair Debt Collection)
- 3) 10 MRSA §1311 et seq. (Fair Credit Reporting)
- 4) 32 MRSA §6101 et seq. (Money Orders, Check Cashers)
- 5) 30-A MRSA §3960 et seq. (Pawnbrokers)
- 6) 10 MRSA §1121 et seq. (Plain Language)
- 7) 5 MRSA §4595 et seq. (Credit Extension)
- 8) 10 MRSA §1271 et seq. (Social Security Nos.)
- 9) 10 MRSA §1495-B (Payroll Process. Forms)

Federal:

- 1) 15 USC 1601 et seq. (Truth-in-Lending Exemption Clause)
- 2) 15 USC 1692 et seq. (Fair Debt Collection Exemption Clause)

BUREAU OF INSURANCE

24 MRSA Chapter 19 (Nonprofit Hospital or Medical Service
Organization)

24-A MRSA § 101 et seq. (Maine Insurance Code)

32 MRSA § 14051-14058 (Employee Leasing)

OFFICE OF LICENSING AND REGISTRATION

10 MRSA §8001(38), 8003(2), 8003-A

2. **DESCRIPTION OF EACH PROGRAM INCLUDING PRIORITIES, GOALS & OBJECTIVES, PERFORMANCE CRITERIA, TIMETABLES OR OTHER BENCHMARKS AND SUCCESS IN MEETING GOALS, REASONS FOR FAILURE, CORRECTIVE MEASURES TAKEN.**

See Attachment - Section 2

Department of Professional and Financial Regulation
Strategic Plan (1997 - 2001)

3. ORGANIZATIONAL STRUCTURE, POSITION COUNT, JOB CLASSIFICATIONS

See Attachments - Section 3

Department of Professional and Financial Regulation
Organizational Chart

**4. COMPLIANCE WITH FEDERAL AND STATE SAFETY & HEALTH LAWS,
AMERICANS WITH DISABILITIES ACT**

Safety Team

As new state and federal laws have been enacted to protect government employees, the Department has developed health and safety policies for the benefit of its employees and constituents which are attached in Section 4.

In June, 1997, the Department established a Safety and Health Committee composed of managers and employees. The committee provides a forum for labor and management representatives to cooperatively build an effective safety management program. The committee recommends safety policies, develops departmental goals for workplace safety and health performance, and recommends training and education programs on safety issues.

See Attachments - Section 4

Department of Professional and Financial Regulation
Health and Safety Policies

5. 10 YEAR FINANCIAL SUMMARY

The charts attached as Section 5 represent the financial history of the Department of Professional and Financial Regulation for the period of FY '88 through FY '97. These charts reflect expenses incurred by all agencies within the department and a departmental summary separated by line categories: Personal Services, All Other and Capital. Individual charts for boards that are affiliated with the department are **not** included (Board of Dental Examiners, Board of Registration for Professional Engineers, Board of Licensure in Medicine, State Board of Nursing, Board of Optometry, and Board of Osteopathic Licensure). The Government Evaluation Act calls for "sunset" reviews of the affiliated boards listed above to be held separately from each of the boards and commissions within the Department.

Notes:

- Some revenues collected by the agencies in the department are received on a biennial schedule and the cyclical nature of these collections is reflected on the revenue graphs.
- All capital expenditures for computer equipment have been made through the Commissioner's Office since FY '92. Reported capital equipment expenditures on agency accounts reflect the purchase of equipment that does not include computers.
- The Securities Division of the Bureau of Banking became a dedicated revenue account in FY '94. Thus, special revenues dedicated to the Securities Division are reflected, but revenues to the General Fund are not reflected.
- In FY '96, expenses reflect an overall downsizing of the department as a part of the Productivity Realization Task Force recommendations. Some expenses were transferred among agencies within the department.
- Revenue fluctuations reflect general economic trends.
- Revenues collected by the Bureau of Insurance are adjusted annually through an assessment pursuant to 24-A MRSA § 237.
- Several new boards have been added to the Office of Licensing and Registration during the past decade.
- Revenue received for the operation of the Commissioner's Office which includes the Administrative Services Division and the Computer Services Division are received through internal transfers from user agencies within the department.

See Attachment - Section 5

Revenue and Expense Graphs

6. REGULATORY AGENDA AND SUMMARY OF RULES ADOPTED

SUMMARY: The Department submitted its 1997 Regulatory Agenda to the Office of the Secretary of State on July 3, 1997. The Regulatory Agenda contains chapter numbers and titles of rules that may be amended, and also includes subject areas of new rules that may or must be adopted pursuant to recently enacted legislation.

Many of the rules to be amended or repealed were identified during the Department's comprehensive review of rules, conducted in the fall of 1995 pursuant to Executive Order No. 6. Most agencies have completed repeal of outdated rules and are concluding rulemaking amendments.

See Attachment - Section 6

Information including chapter numbers, titles, proposed action items and current status of every agency rule is listed in the Rules Review Summary and Action Plan documents.

7. **AREAS WHERE EFFORTS HAVE BEEN COORDINATED WITH OTHER AGENCIES OR WHERE THEY COULD BE**

The success of the Department in achieving its mission of public protection depends on its ability to coordinate resources and information with other governmental agencies. The Department maintains a wide variety of inter-agency relationships as set forth below. Recent technological advances, including electronic mail and Internet capability, allow the Department to enhance and streamline the coordination of its regulatory and enforcement activities with local, state and Federal agencies.

General

The Commissioner serves as the Department's liaison to the Administration and other agencies of state government. The Commissioner is a member of the Governor's Cabinet, the Cabinet Subcommittee on Regulatory Reform (together with the State Planning Office, Department of Environmental Protection, Department of Agriculture, Department of Conservation and Department of Economic and Community Development), and the Governor's Cabinet Subcommittee on Health Care (together with the Department of Human Services, Department of Administrative and Financial Services, Department of Mental Health and Mental Retardation, and State Planning Office). Members of these subcommittees explore opportunities for information sharing, joint policy development and coordination of activities.

Other agencies with which the Department coordinates include:

- **Secretary of State/Corporations and Elections Division**
 - The Secretary of State is notified by the *Bureau of Banking* when it approves new bank charters, mergers, or acquisitions; the Bureau works with applicants to ensure that such filings are timely and complete. The Bureau coordinates with the Secretary of State to assure compliance with "restricted terms" statutes.
 - The Secretary of State is contacted by the *Bureau of Insurance* in the course of licensure of insurance companies, agencies and in the course of investigations of alleged violations of Maine insurance laws.
 - The Secretary of State coordinates with the *Office of Consumer Credit Regulation* regarding completion of steps necessary for out-of-state license applicant corporations to conduct business in Maine.
 - The Secretary of State is a resource to the *Office of Licensing and Registration* for information relating to appointment of board and commission members.

- **Secretary of State/Motor Vehicle Bureau**
 - In conjunction with the State Police, Inspection Division, the Motor Vehicle Bureau provides valuable information to the *Office of Consumer Credit Regulation* regarding credit sales activities of new and used automobile dealers, and repossession companies; it coordinates with the *Bureau of Insurance* on automobile insurance issues including rental car liability issues, minimum limits of auto insurance coverage and enforcement of Maine’s mandatory automobile insurance laws, and market conduct investigations.
- **State Treasurer’s Office**
 - The *Bureau of Banking* works closely with the Abandoned Property Division to administer Maine law requiring that unclaimed property (including bank deposit accounts) remaining inactive for 5 years be escheated to the State. The Bureau performs periodic on-site examinations of state-chartered financial institutions to assure compliance.
 - The *Bureau of Insurance* works with the State Treasurer’s Office in the licensure of insurance companies for the maintenance of security deposits.
- **Department of Administrative and Financial Services (“DAFS”)**
 - DAFS coordinates the State’s workers’ compensation self-insurance program with the *Bureau of Insurance*, Alternative Risk Market and Financial Analysis division.
 - The *Bureau of Insurance* assists the DAFS on technical issues related to the State Employee Health Plan.
 - The *Office of Licensing and Registration* coordinates board accounting procedures with the assistance of the Budget Office.
 - **Bureau of Taxation**
 - The *Office of Consumer Credit Regulation* coordinates with Taxation on development of forms for use by payroll processing companies; the *Office of Licensing and Registration* shares information on unpaid fines and penalties; and the *Bureau of Insurance* coordinates issues involving tax payments by surplus lines carriers.
- **Department of the Attorney General**
 - The Attorney General’s Office represents agencies within the Department in administrative hearings, litigation, and in drafting/reviewing enforcement actions. Agencies refer complaints of suspected criminal activities, fraud and

unlicensed practice to the Office of Attorney General and work in cooperation with assistant attorneys general during the investigative phases of these matters and consumer complaints.

- **Department of Economic and Community Development (“DECD”)**
 - The Department assists in carrying out DECD’s economic development strategy to attract and expand financial services industries.
 - All agencies within the Department participate in the Governor’s Blaine House Conference on Small Business, sponsored by DECD.
 - The *Bureau of Banking/Securities Division*, through its SCOR Program (Small Corporate Offering Registration), works with small businesses to streamline the process of raising capital, and consults with DECD staff to address common concerns regarding securities issuers, broker-dealers, sales representatives, investment advisers and business opportunity sellers.
 - The *Bureau of Insurance* works collaboratively with DECD on insurance issues related to business development.
- **Department of Labor (“DOL”)**
 - The *Office of Consumer Credit Regulation* coordinates with DOL to develop forms for use by payroll processing companies.
 - The *Office of Licensing and Registration* coordinates with DOL to develop and implement apprenticeship programs for occupational licensing boards in trade areas and consults with staff of the Bureau of Labor Standards on workplace safety issues, and with the Unemployment Division on license revocation issues.
 - The *Bureau of Insurance* coordinates with DOL on registration of employee leasing companies, plant closings, group contracts, and other employer related issues. As required under the Maine Workers’ Compensation Act, the Bureau works with DOL and the Workers’ Compensation Board to coordinate data collection on Maine Workers’ Compensation System.
- **Department of Human Services (“DHS”)**
 - The *Bureau of Insurance* coordinates with DHS on issues relating to lead poisoning, the Medicaid managed care program, the processing of Continuing Care Retirement Community and Health Maintenance Organization applications; coordinates with the DHS Bureau of Medical Services and Third Party Liability office on Medicaid issues; with Elder and Adult Services, Legal Services for the Elderly and Agencies on Aging for Medicare and Medicare supplement issues; DHS Bureau of Health on issues relating to AIDS testing and

other diagnostic and clinical issues; and with DHS Health Planning and Development Office on statistical information and issues.

- The ***Office of Licensing and Registration*** coordinates with the DHS Health Engineering Division on technical issues relating to the Maine Internal Plumbing Code ; with the Bureau of Medical Services, regarding enforcement of pharmacy laws; with DHS personnel staff to coordinate licensure of DHS social work case workers; and with the Division of Licensure and Certification on nursing home facility licensure.
- All agencies within the Department coordinate with DHS on issues related to loss of occupational or professional licensure for failure to meet child support obligations.
- **Department of Public Safety**
 - The Department works closely with the State Bureau of Investigation for a variety of purposes including identification and background checks of applicants for licensure and current licensees.
 - The State Fire Marshal's Office works closely with state electrical, propane, and oil/solid fuel inspectors in the ***Office of Licensing and Registration*** to coordinate investigations of fires, explosions, and other safety hazards, and to implement training and educational seminars designed to provide new information on best safety and construction practices.
- **Department of Environmental Protection (“DEP”)**
 - DEP works with the ***Bureau of Insurance*** on issues relating to funding of underground fuel storage tank liability; and with the ***Office of Licensing and Registration*** on regulation of above-ground fuel storage tanks, and marine pilot safety and environmental issues.
- **Department of Marine Resources**
 - The ***Office of Licensing and Registration*** coordinates with the Department of Marine Resources on enforcement of marine pilot safety laws.
- **Department of Mental Health and Mental Retardation**
 - The ***Office of Licensing and Registration*** coordinates with the Department of Mental Health and Mental Retardation's Office of Substance Abuse on issues related to licensure of alcohol and drug counselors. The ***Bureau of Insurance*** is working with the Department of Mental Health and Mental Retardation's Office of Substance Abuse on their efforts to provide behavioral services in a managed care environment.

AGENCY SPECIFIC PARTNERSHIPS

- **Bureau of Banking**
 - Coordinates policy, examinations, applications and safety and soundness issues with the Federal Deposit Insurance Corporation, the Office of the Comptroller of the Currency, and the Federal Reserve Bank of Boston and the Federal Reserve Board.
- **Office of Consumer Credit Regulation**
 - Holds meetings regarding consumer complaints with complaint personnel of the *Public Utilities Commission*, and
 - Works with the *Maine Human Rights Commission* on areas relating to Fair Credit Extension
- **Bureau of Insurance**
 - Is an accredited member of the *National Association of Insurance Commissioners* and works on the development of model laws, regulations, and other policy initiatives including but not limited to insurer solvency, market conduct, insurance department accreditation, staff education, international issues and federal mandates.
 - Coordinates with *Maine Self Insurance Guaranty Association* in information sharing and regulation of self insured employers.
 - Coordinates on various issues with the *Federal Bureau of Investigation and U.S. Securities and Exchange Commission* on investigations, *U.S. Department of Commerce and the U.S. Trade Representative's Office* on international trade issues; *International Association of Insurance Supervisors* on international regulatory issues, *U.S. Department of Transportation* on safety conferences, *U.S. Department of Labor* on ERISA and COBRA issues, *U.S. Health Care Financing Administration* on Medicare and other risk contract issues; and *U.S. Office of the Comptroller of the Currency* regarding sale of insurance by national banks.
- **Office of Licensing and Registration**
 - Coordinates with the Office of the U.S. Inspector General on reporting of license suspensions, revocations and surrenders that may form the basis for exclusion from Federal health care reimbursement programs.
 - Coordinates activities between and among the Maine Manufactured Housing Board, the *Maine State Housing Authority* and the *U.S. Department of Housing*

and Urban Development to ensure that manufacturers meet minimum federal safety and construction standards, and to coordinate the processing of consumer complaints regarding manufactured housing.

- Works closely with state and Federal drug enforcement administrations and the *U.S. Attorneys' Office* on prosecution of drug diversion matters.
- **Securities Division**

Works closely with other state regulators through the North American Securities Administrators Association on all areas of state securities regulation and with the National Association of Securities Dealers on enforcement and matters of regulatory policy.

8. CONSTITUENCIES SERVED BY AGENCY, CHANGES OR PROJECTED CHANGES

The general public and regulated entities and individuals are the primary constituents of the Department of Professional and Financial Regulation. In addition, the Department serves the Legislature and federal, state and local government agencies.

BUREAU OF BANKING

The Bureau of Banking's primary constituency is Maine's consumers, and over 45 state-chartered financial institutions with total assets of approximately \$11 billion. In addition, the Bureau has limited regulatory oversight over 97 federally chartered financial institutions operating in Maine.

With the advent of interstate banking/branching, the universal bank charter, and the potential for "niche" banks, other shifts in bank assets under supervision through corporate reorganizations, sale of branches, and new bank charters are anticipated. These changes will create potential new constituencies.

SECURITIES DIVISION/BUREAU OF BANKING

The Securities Division's primary constituency is Maine consumers who purchase investments in increasing amounts as they save for retirement and their children's education. Other constituencies of the Securities Division include issuers seeking to sell securities in Maine, broker-dealers, sales representatives, investment advisers and sellers of business opportunities. No change in the Division's constituents is expected at this time.

OFFICE OF CONSUMER CREDIT REGULATION

Current constituencies of the Office of Consumer Credit Regulation include:

- Consumers of credit; users of money orders; consumers subject to collection and repossession; consumers with credit report histories; and employees subject to large-scale corporate downsizing (Rapid Employment Training Initiative (RETI) team involvement).
- Personal finance and sales finance companies, non-bank mortgage lenders and arrangers; retail-merchant credit providers; rent-to-own companies; credit reporting agencies; debt collectors and repossession company operators; pawnshop owners; and money order and travelers' check issuers.

New constituencies of the agency include:

- Money transmitter companies and consumers
- Payroll processor companies and business customers
- Lenders selling non-credit insurance products

BUREAU OF INSURANCE

The Bureau serves a wide variety of constituencies, including the general public, insurance consumers, insurance companies, self-insured businesses, producers (agents, brokers and consultants), consumer groups, and insurer advisory organizations.

OFFICE OF LICENSING AND REGISTRATION

The Office of Licensing and Registration headquarters forty-two occupational and professional licensing boards, commissions and registrations, whose statutory mission is to ensure the public of a minimum level of competence among the practitioners of the professions and occupations that they regulate. The most important constituency of the office is the general public which may interact with licensed professionals in any of the regulated occupations within the Office. Other constituencies include:

- licensees in each professional or occupational area; and
- approximately 250 board members appointed by the Governor to represent the public interest.

No change in these constituencies is anticipated.

9. EFFORTS AT ALTERNATIVE DELIVERY SYSTEMS, INCLUDING PRIVATIZATION

The Department has actively pursued alternative delivery systems to carry out its mission, including privatization of certain functions, as illustrated below. All agencies within the Department have, or are developing, new methods of accepting license fees and consumer complaints electronically (by e-mail or via the Internet) and communicating with regulated entities.

The Department maintains an Internet home page containing information including agency advisory rulings, regulations, and newsletters. Consumer and business constituencies will soon be able to complete forms and transact other business on-line. The Department's home page may be reached at www@state.me.us/pfr.

BUREAU OF BANKING

The Bureau has reviewed its regulatory processes to effect cost-effective regulation of state chartered financial institutions and has implemented the following initiatives:

- *divided examination programs* - alternating on-site examinations with the appropriate federal agency;
- *expanded use of joint examinations* - two or more regulatory agencies participate in an examination, producing one report;
- *expanded use of an off-site component* - initial preparatory and/or analytical work of an examination is conducted off-site (usually Bureau headquarters), saving the financial institution the expense of examiner travel and disruption of the examination team conducting on-site exams.
- *scheduling of examinations based upon asset size and condition* - financial institutions under \$250 million in assets and with examination rating of 1 or 2 may have examination frequency expanded to once every 18 months.

The Bureau has also entered into cooperative examination and information-sharing agreements with other state or federal regulatory agencies, providing for comprehensive oversight of banks with minimum expenditure of state resources.

The operation of healthy, stable financial institutions plays an important part in the economic welfare of the state. Privatization of bank regulation is a complex issue which could have substantial impact both on the economy and the influence of Maine State legislature.

SECURITIES DIVISION/BUREAU OF BANKING

The Securities Division is part of a coordinated regulatory effort consisting of federal and state regulators. The federal regulators generally concentrate on issues of national

importance such as the integrity of national markets, while state regulators are able to respond to securities issues at the local level.

The industry is regulated at the national level by self regulatory organizations as well as the Securities and Exchange Commission (SEC). The largest self regulatory organization, the National Association of Securities Dealers (NASD), has recently split into two organizations making the regulatory entity independent of the membership organization. This change addressed growing concerns regarding the ability of the industry to police itself. With the securities markets booming and the numbers of first time investors on the rise, strong regulation is necessary to protect those investments and to maintain investor confidence.

OFFICE OF CONSUMER CREDIT REGULATION

The Office of Consumer Credit Regulation has developed new and enhanced delivery systems.

- The agency has encouraged consumers throughout Maine to contact the Office without incurring telephone bills, by installing a toll-free, consumer-only telephone line: 1-800-DEBTLAW.
- The consumer complaint staff developed and simplified written complaint forms to encourage the flow of information from consumers.
- The Office has developed and instituted the practice of examining the credit records of out-of-state companies in-house, to save those companies the expense of conducting compliance exams at their distant offices.
- The agency's involvement in RETI team activities for the past five years reflects a willingness to remain flexible in meeting the needs of Maine consumers, and in addressing requests from social service agencies for assistance.

BUREAU OF INSURANCE

Maine law requires that each domestic insurer's financial condition to be examined by the Bureau at least once every three years. The financial examination section makes extensive use of contracted services to supplement the in-house examination staff on these examinations. While it is possible that the examination function could be fully privatized, the cost, which is borne by the insurer being examined, would be excessive. The current system of engaging services for specialized areas such as actuarial and accounting services on the larger company examinations is the most cost effective with the added benefit of enhancing the technical knowledge of the in-house staff. The examination process has also benefited from the development by the NAIC of electronic auditing tools such as "examination jumpstart."

The Bureau has implemented a pilot "File and Use Program" in various sections to gain efficiencies in the processing of rate and form filings for selected lines of insurance. Consideration is being given to expanding this program.

Through the NAIC the Bureau is actively involved in the development of national electronic filing system (State Electronic Rate & Form Filing, SERFF) and the development of the Insurance Regulatory Information Network (IRIN) to streamline and enhance the processing of producers seeking licensure.

The administration of licensing tests is computer based and is performed by a private vendor. Continuing education requirements for producers are met by educational programs offered by private vendors, and recommendations for course approval are made by a private sector advisory group.

The Bureau has reevaluated and streamlined the licensing process for non Maine traditional and surplus lines insurance companies, third party administrators, reinsurance intermediaries, and self insurance renewals. Through the online NAIC financial databases, the financial reviews of companies doing business in Maine have been condensed from months to days.

Other:

- The Bureau has installed a toll-free consumer assistance phone line for insurance complaints: 1-800-300-5000.
- The Bureau has developed a series of presentations to educate consumers, providers, and caregivers on various aspects of life and health insurance including managed care.
- The labor and paper intensive process for the Superintendent to serve as agent for service of legal process to insurance companies will be privatized effective December 11, 1997.

OFFICE OF LICENSING AND REGISTRATION

The national trend in professional and occupational licensing is toward the use of private national examinations. Many of Maine's occupational and professional licensing boards now use these national examinations as a starting point for eligibility for state licensure. In addition, many boards maintain contracts with testing companies to privatize the examination and examination administration function. Until 1996, the Board of Accountancy required its members to administer and monitor the Certified Public Accountant Examination. The Office of Licensing and Registration now administers and maintains a contract with National Association of State Boards of Accountancy for exam administration services.

A second area in which privatization has been implemented effectively is in the development and use of national professional data bases containing information on disciplinary actions taken by state boards. This concept is currently being utilized by health-related licensing boards in conjunction with reviewing original licensure and renewal applications. Increasing the usage of such databases will more effectively protect the public from unsafe and unethical practitioners moving from state to state against whom disciplinary action has been taken by another jurisdiction.

A third area currently the subject of privatization is the credential review process. Currently, although not subject to contract, many licensing boards rely on national credentialing organizations for credential review during the pre-certification process.

Finally, the processing and printing of professional licenses may be the focus of new privatization initiatives as the Office continues to reduce commitment of staff resources to ministerial functions.

10. EMERGING ISSUES FOR THE AGENCY

The Department faces several emerging issues in the areas of (A) *financial services*, and (B) *occupational and professional licensing*.

A. FINANCIAL AND RELATED PROFESSIONAL SERVICES

The financial services industry is undergoing a major evolution in Maine and across the nation. The challenges for the Department are to keep pace with the marketplace and to design and implement regulations that protect the public yet promote a healthy business environment.

Federal law

The challenges of “financial modernization,” both on a federal and state level, call for concerted efforts among Maine’s insurance, banking and credit regulators. We will continue to play a active role in monitoring federal initiatives and providing input to federal agencies and Congressional representatives on “financial modernization issues.” For instance, the Bureaus of Banking and Insurance are closely monitoring H.R. 10, the Congressional financial modernization bill. The Department also tracks foreign trade policies such as NAFTA, GATT, and the General Agreement Trade in Services to determine their impact on State financial services regulation.

Functional regulation

Product lines have expanded to meet public demand for “one-stop” shopping for financial services. These developments challenge the Department to reassess how these integrated financial service entities and products should be regulated. Under our current system of “functional” regulation, the following state agencies have direct supervisory authority over their respective regulated state licensed or chartered entities:

Bureau of Banking	State-chartered financial institutions Bank Holding Companies Affiliates of any of the above
Securities Division	Broker-dealers and sales representatives Investment advisers Sellers of Business Opportunities
Bureau of Insurance	Insurance Companies Licensed sellers of insurance and annuities Insurance Holding Companies Health Maintenance Organizations Non-profit hospital service organizations Affiliates of the above

Office of Consumer
Credit Regulation

Finance and mortgage companies
Collection agencies and repossession companies
Rent-to-Own companies and pawnshops
Money transmitters, money order issuers and check cashers
Retail creditors and lessors

The blurring of functions in the financial services industries of securities, banking and insurance, and credit will continue to fuel the debate regarding the appropriate role of state regulation.

Globalization of markets

We expect to see ongoing globalization of the financial services industry which will present new opportunities to work with out-of-state and foreign entities seeking to do business in Maine. One example is the establishment of Maine as a “port of entry” for non U.S. insurers. On the other hand, some state-chartered banks may opt to leave the state system, either by conversion or buyout of federally chartered entities. In the securities area, the next ten years will witness the globalization of investment markets.

Technology

Technology will play an ever-increasing important role in the financial services industries. Some entities are using the Internet to transact business. The Department must vigorously monitor the health of the regulated entities and individuals to assure adequate consumer protection.

Data Analysis and Training

Quality data collection and analysis is critical to fulfilling our mission to protect the public. We need to enhance our ability to provide useful information to consumers including performance measures, pricing and availability information. To meet these goals, the Department will devote resources to maintain “state of the art” technology and information systems.

It will be critical for each agency to maintain accreditation, where applicable, and maintain a highly trained and educated staff to meet the challenges of the year 2000 and beyond.

Other emerging issues:

- We will review the appropriate level of regulation of regulated entities in an era of increasing deregulation.
- We will respond to anticipated consolidation and restructuring of the financial services industry, including banks and insurance companies brought about by changing market conditions.

- We expect to see emerging health care delivery systems such as new provider-sponsored organizations and integrated workers' compensation/health insurance products.

B. PROFESSIONAL AND OCCUPATIONAL LICENSING

The regulatory concepts underpinning professional licensure for the protection of the public are undergoing significant change. With all states experiencing reductions in staff and financial resources, licensing boards and agency administrators are committed to identifying new efficiencies in board operations while ensuring that the public has access to qualified and competent professionals in a wide variety of professions.

Set forth below are emerging issues for the Office of Licensing and Registration:

Licensing

While not limited to medical and allied health licensing boards, the provision of health care and other professional services across State boundaries and through the Internet has prompted the Office to reexamine reciprocity provisions of State law as well as multi-state licensure concepts. Increased use of Internet services and telephone networks to provide health care services raise significant concerns about how Maine citizens can be protected when they receive services from professionals over whom Maine licensing boards do not have jurisdiction.

Complaints/Enforcement

Expansion of health care delivery systems raise new concerns about how disciplinary information against licensed professionals should be shared by State boards and disseminated to the public for its protection.

Examinations

Licensing boards have a legal obligation to provide accommodation and special testing arrangements for applicants who qualify for such treatment under the Americans with Disabilities Act. In situations where accommodations must be made not only by the licensing board but also the independent testing company, issues of contract administration and payment of additional expenses will impact license fees.

The use of national and computerized examinations raise contract issues regarding State liability, and focuses attention on whether national corporations involved in examination development will be held accountable to the public.

Privatization of Licensing Functions

Currently, many licensing boards contract with testing companies to develop and administer examinations of applicants and with private credentialing organizations to review applicant credentials. Issues are emerging as to whether regulatory boards and private credentialing organizations will work collaboratively to protect the public.

State's Role in Continuing Competency Assessment

Licensing boards have traditionally focused on candidate qualifications for initial licensure and have relied on continuing education requirements and disciplinary programs to ensure the continued competency of professionals. Focus has shifted to an enhanced education model to assure continuing competency standards and examinations and to provide a greater degree of public protection against incompetent and unsafe services and practitioners, and the role of State Government in that assessment.

Overlapping Scopes of Practice

Increased attention is being focused on professions, particularly allied health professions, whose scopes of practice may overlap with those of other professions. Efforts are underway to coordinate intra-board discussions regarding the public policy issues surrounding scope of practice.

Similar discussions are underway to bring board members who regulate design professionals, including architects, landscape architects, interior designers, professional engineers, and land surveyors together to discuss common goals and objectives.

Computerized licensing system

Within the next year, the staff of the Office of Licensing and Regulation will play a key role in developing an updated computerized licensing system that will streamline the technical application review and printing process.

ATTACHMENT

SECTION 2

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

STRATEGIC PLAN (1996 - 2001)



DEPARTMENTAL AGENCIES

Commissioner's Office

Bureau of Banking

Office of Consumer Credit Regulation

Bureau of Insurance

Office of Licensing and Registration

Board of Accountancy	Board of Commissioners of the Profession of Pharmacy
Board of Alcohol & Drug Counselors	Board of Examiners in Physical Therapy
Arborist Examining Board	Maine State Pilotage Commission
Board for Licensure of Architects, Landscape Architects & Interior Designers	Plumbers' Examining Board
Maine Athletic Commission	Board of Licensure of Podiatric Medicine
Board of Licensing of Auctioneers	Propane & Natural Gas Board
Board of Barbering and Cosmetology	Board of Examiners of Psychologists
Board of Chiropractic Licensure	Radiologic Technology Board of Examiners
Board of Complementary Health Care Providers	Board of Real Estate Appraisers
Board of Counseling Professionals Licensure	Real Estate Commission
Board of Dietetic Practice	Board of Respiratory Care Practitioners
Electricians' Examining Board	Board of Social Worker Licensure
Board of Licensure for Professional Foresters	Board of Examiners on Speech Pathology & Audiology
Board of Funeral Service	Board of Veterinary Medicine
Board of Certification for Geologists & Soil Scientists	Licensing/Registrations (no regulatory board):
Board of Hearing Aid Dealers & Fitters	Athletic Trainers (licensing)
Board of Licensure for Professional Land Surveyors	Charitable Solicitations (registration)
Manufactured Housing Board	Door-to-Door Home Repair (registration)
Nursing Home Administrators Licensing Board	Itinerant Vendors (registration)
Board of Occupational Therapy Practice	Massage Therapists (licensing)
Oil & Solid Fuel Board	

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THE PROCESS OF STRATEGIC PLAN DEVELOPMENT

PARTICIPANTS

At the outset of our strategic planning process, Commissioner Longley appointed a Strategic Planning Team and a Strategic Planning Coordinator from within the Department. The Team, consisting of the Commissioner and the Department's managers, was given the task of creating the plan. The role of the coordinator was to oversee the organization of the process through planning and sustaining the overall effort. The Team enlisted a significantly larger group to provide both input and feedback as the effort progressed.

Internally, the TQM Council specifically and the staff generally participated in both brainstorming for new ideas and critiquing the evolving plan. Department employees provided the core of objectives and strategies around which our plan was created.

Externally, the Department took advantage of resource personnel in several other agencies, including the State Planning Office, the Bureau of the Budget and the Office of Fiscal and Program Review. These resource people assisted not only by answering questions by telephone and e-mail but also by participation as instructors in our training sessions and as participants in many of our meetings.

The Department also recruited a group of external stakeholders drawn from regulated industries, consumers and two legislative oversight committees, the Joint Standing Committee on Banking and Insurance Committee and the Joint Standing Committee on Business and Economic Development Committee. Their active participation and varied perspectives were an integral part of our planning process.

TRAINING

Our strategic planning process began with the attendance by two staff members at the 3 ½ day "Train the Trainer" session in February, 1996. Subsequently, those two employees with the assistance of several outside resource personnel, presented a one day program for the Department's Strategic Planning Team. That session included a discussion of performance based budgeting, the presentation of Maine's strategic planning model, two case studies and training on "preplanning" including the establishment of our Department's own timeline.

To provide additional depth to our strategic planning process, a three hour session was conducted for the benefit of the Department's TQM Council and supervisory personnel. This program was presented by Department staff in collaboration with external resource personnel.

Finally, various staff members attended additional training sessions jointly sponsored by the State Planning Office and the Bureau of the Budget.

SCHEDULE

The Department formalized its timeline early and, excepting minor modifications, it was followed fairly rigorously. The Strategic Planning Team met on a weekly basis. Comments generated by staff were incorporated. Several of the Team's sessions were conducted with the assistance and input of our outside resource personnel. Because of the wide range of regulatory responsibilities of this Department, the Department invited input from a broad spectrum of commenters. From larger industry perspectives (e.g., insurance) to small regulatory boards, divergent input was helpful to ensure that the final product reflected the varied regulatory duties of the agency.

The current edition of the Department's Plan was maintained in a Shared E-Mail Folder and employee reaction and feedback was actively solicited. In addition, the TQM Council devoted one of its regular meetings to brainstorming appropriate Objectives. Many employees of the Department took the time to comment with specificity, and all input was considered in drafting the final report.

Our external stakeholders were convened for three meetings at intervals appropriate to the development of the Strategic Plan. This allowed active debate among regulators, the commissioner, industry trade group representatives, board members, legislators and "public" representatives.

Input from all of the above sources, as well as feedback from the State's own review of initial draft plans submitted in mid-July, were combined into the final draft report.

**DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION**

MISSION STATEMENT

The mission of the Department of Professional and Financial Regulation is to encourage sound, ethical business practices through high quality, impartial and efficient regulation of insurers, financial institutions, creditors and numerous professions and occupations for the purpose of protecting the citizens of Maine.

VISION STATEMENT

We envision a Department of highly motivated individuals committed to superior service to all. By inspiring each others' best efforts, we will achieve a standard of regulation characterized by competence, integrity and innovation.

ANALYSIS OF ENVIRONMENT

Internal Environment

The Department is a conglomerate of professional and financial regulatory entities, hence the title "Department of Professional and Financial Regulation." The Department is not physically located within the City of Augusta. The Department is within the "Greater Augusta Area," however, leasing space at 122 Northern Avenue, Gardiner, Maine, in an office building known as the "Gardiner Annex."

Department Purpose. The Department of Professional and Financial Regulation serves the public by regulating: state-chartered financial institutions and bank holding companies, insurance companies, agencies and agents, grantors of consumer credit, and over forty professions and occupations. The Department protects Maine consumers through its licensing, examination and regulatory activities; by conducting programs aimed at increasing voluntary compliance with State laws; by investigating possible violations of law; and by undertaking enforcement actions. The Department also responds to consumer complaints and requests for information, and conducts educational and outreach programs to make consumers aware of their rights and responsibilities under Maine laws. The Department is committed to competent, impartial and efficient regulation, in order to foster the development of healthy, and financially sound businesses.

Department Evolution. The Department was created as the Department of Business Regulation in 1973, as part of a reorganization of State government designed to consolidate related agencies along functional lines and strengthen executive direction. The Department's name was changed to Professional and Financial Regulation in 1987. The Administrative Services Division, which is now part of the Commissioner's Office, was established by the Commissioner in 1974 to provide administrative support to the agencies within the Department.

The Special Session of the 106th Legislature established the Bureau of Consumer Credit Protection, to enforce the Maine Consumer Credit Code, which became effective January 1, 1975. Effective January 1, 1996, The Bureau became the Office of Consumer Credit Regulation.

A mere 4 boards and commissions were transferred into the Department at the time of its creation in 1973. Since that time, through the transfer of existing boards and the creation of new ones, over 40 professional and occupational licensing boards, commissions and registrations are within the Department's Office of Licensing and Registration, or are affiliated with the Department. That Office, originally established by the 107th Legislature as the Central Licensing Division, now boasts a licensing section with an electronic licensing system capable of handling all of the licensing functions for the Department and several outside agencies.

Organizational Structure. The department's administrative head is the Commissioner. The Commissioner's Office contains the Administrative and Information Systems Support

units. There are two Bureaus headed by superintendents, the Bureau of Banking and the Bureau of Insurance. The superintendents maintain regulatory authority within their respective areas, while the Commissioner is the ultimate personnel and budgetary authority, and the policy liaison to the Governor. There are also two Offices within the Department, the Office of Consumer Credit Protection, and the Office of Licensing and Registration. The latter provides administrative support to 35 regulatory boards and conducts 5 registration functions. Six boards are also "affiliated" with the Department, but are not located physically within the Department. All agency heads, agencies and personnel segments of the Department are represented on the Department's Quality Council, which meets at least monthly.

Size and Composition. The Department is relatively small compared to other Cabinet level agencies, employing a total of 210 persons. Due to the complex nature of our regulation, the Department has a high number of professional and technical employees, including attorneys, CPAs, actuaries, and licensed inspectors. The Department employs approximately 45 financial examiners and professional regulatory board inspectors who work primarily "in the field." The Department is dedicated to continuing professional education, and staff development and training. The Department has a highly motivated staff dedicated to quality regulation and public service.

Fiscal. The Department is funded entirely from dedicated revenue sources. This means that each entity within the Department is funded by assessments, volume fees, and/or license or filing fees, paid by the industries or individuals being regulated. The Department receives no general fund revenue, but contributes substantial amounts to the general fund through every agency's "STACAP" (State Cost Allocation Plan) assessment as well as through the securities division's registration and licensing fees.

Technical and Equipment. The Department strives to utilize technology to its fullest extent, to aid in its regulation of entities and individuals and improve communications with customers. The Information Systems Support unit maintains servers and services, writes specialized programs, and supports and trains Department staff on personal computers and uniform software. The Department utilizes an advanced licensing database and remote communication services, in addition to maintaining an Internet home page which posts rules and regulations, proposed legislation, hearing notices and announcements.

External Environment

The Department regulates financial services companies, such as banks, insurance companies, providers of consumer credit, and securities firms, as well as employers (i.e. self-insurers), and various occupations and professions. The Department has surveyed and considered several key trends in the external environment that are affecting the industries and professions we regulate.

The Department will need to remain proactive and innovative in its approach to regulation. Appropriate regulatory schemes must be designed to: (i) permit these industries and occupations to thrive by meeting the demands of the marketplace; and (ii) provide necessary protection to the public. Discussion of these external influences and trends is found below:

General Economic Trends. The financial services industry and the occupations regulated by the Department are dependent upon Maine-based markets, and their success and growth are linked to the overall health of the Maine economy. However, certain large Maine companies are greatly influenced by the national and international economy. The general economic outlook for these sectors in Maine is for modest growth opportunities for the balance of the decade, which is consistent with the State's general economic forecast. Recent corporate decisions among some of the larger financial services providers have resulted in a downsizing of their Maine operations and a relocation of some support functions to other states where they also have operating units. On a more positive note, recent changes to Maine's Consumer Credit Code may make it more attractive for credit card issuers and finance companies to locate here. Recent legislation makes it easier for alien insurers to domesticate in Maine and there is continued interest in insurance companies becoming licensed in Maine to sell a myriad of products despite the fact that more than 800 companies currently operate within the state. Some sectors are declining in actual numbers of licensees; the number of financial institutions serving the state has decreased through consolidation, and the number of licensed real estate brokers has declined as a result of decreased activity in that area of the economy. At the same time, the number of mortgage companies and licensed securities sales agents has risen significantly.

General Demographic Trends. The most significant demographic trend in the U.S. is the aging of the population as the so called "baby boom" generation moves through life. This trend has significant implications for the product mix of the financial services industry. As the population ages, consumer demand will increase for savings and investment products, such as certificates of deposit, mutual funds, annuities, retirement accounts, securities, etc., while demand for loan products will be relatively low. The economic implications of this trend are many, but it is expected that one implication is that capital availability will increase helping to keep interest rates relatively low. Secondly, this trend will increase competition among creditors, banks, insurance companies, and securities dealers which will encourage further industry consolidation and may have adverse effects on the credit risk profiles of lending institutions.

These trends have several implications for the Department. As demand for investment products increases, the number of licensees and company licenses will likely increase as well. Demand will encourage product innovation in the financial services industry,

creating new and more complex consumer disclosure and protection issues for the public. The potential for increased credit risk will likely challenge bank and insurance regulators in the early part of the next decade.

Industry Consolidation. The financial services industry, much of which is regulated by the Department, is undergoing a period of consolidation and homogenization, which is taking two distinct forms. First, consolidation among firms within specific industry sectors is likely to occur at an accelerated rate through the end this decade and will be particularly evident in the banking industry. Nationwide interstate branching, which is effective 6/1/97, will result in the consolidation of subsidiary banks into multi-bank holding companies and will encourage the merger of larger, regional and superregional banking holding companies. Consolidation will also occur in the insurance and securities industries, although it will be less significant as these industries historically have not been subject to the geographic restrictions common to the banking industry.

There will also be increasing consolidation among industry segments. Insurance companies, banks and securities dealers are offering many similar products that were once the exclusive domain of a single industry. Ongoing changes to Federal law and regulation are likely to promote a continuation or expansion of this trend. At the same time, Federal regulatory agencies are exerting more centralized control over some activities while abandoning others, or delegating them to state agencies. As these financial services companies continue to expand into each other's lines of service, state regulators will be challenged to keep pace utilizing the traditional scheme of functional regulation which is based upon the theory that licensees would offer a limited, closely related package of services.

The challenge will be so great that significant structural changes in the organization of state and federal agencies regulating the various components of the financial services industry are inevitable. At first, efforts will be primarily focused upon increased communication, cooperation, and coordination within and among state and federal regulatory agencies. These will take the form of cooperative examination programs and increased reliance on agencies in states where companies are domiciled for approval of products, licensing, and other supervisory decisions. While cooperation will certainly represent an improvement over the status quo, market forces and continued industry consolidation will likely result in the consolidation of state regulatory agencies for banks, insurance companies and securities firms, which have traditionally been separate and distinct, into one regulatory body. Another possible alternative is the evolution of multi-state regulators organized along traditional regional lines. For instance, the New England states might agree to create a single, state bank regulator for the six states in the region.

In the health care field, the lines between insurers and health care providers is beginning to blur. As we move toward a system of managed care, new and creative partnerships between insurers and providers are developing. The Bureau of Insurance will be challenged to work with other state and federal agencies to develop a system of regulation

and consumer protections adequate to address the emerging systems for the delivery of health care to Maine citizens.

Regulatory Burden. The business community in Maine and in much of the country is exhibiting a high degree of sensitivity to the burdens of regulation; small businesses, in particular, are very concerned about their ability to successfully cope with what they perceive to be a growth of government regulation and intervention in their business. While this Department and the State have a responsibility to “protect the public”, there is a delicate balance to be struck between the protection of the most vulnerable (particularly the elderly and low income residents, of which Maine has a significant population) and the hard and soft dollar costs of regulation placed upon businesses, which are usually passed along and ultimately shared by all customers of those businesses. The current state and national trend has been to decrease regulatory burden in an effort to provide some relief, particularly to small businesses, and to help attract and stimulate the growth of existing and new business enterprises. The Department hopes to balance the trend toward deregulation with the need for better education and training of its regulated entities.

Consolidation in the financial services industry, as discussed above, is also a very significant factor in the increased sensitivity of the industry to this issue. As more companies conduct business across state and national lines it will become necessary for states to modify their regulation to eliminate the burden of multiple regulations and regulatory approaches that attempt to achieve the same goals, but in different ways.

With respect to professional and occupational licensing, we anticipate more standardized licensing requirements, including continued migration to national or standardized examinations, and licensing options through electronic means. These changes are anticipated to decrease overall regulatory burden to Maine licensed professionals and occupations.

Technology. The rate of change experienced by regulated businesses in many respects is dictated by the impact of technology on the business and/or its customers. Improved telecommunications, access to the Internet and utilization of advanced computer technology in design, production and control functions can radically alter not only how a company does business, but also the products and services it offers, as well as the scope of the markets it serves. It becomes critical for regulatory agencies to keep abreast of these technological changes to effectively and efficiently regulate these industries.

Consumer Trends. Consumers are now exhibiting a greater desire for accessibility to services; probably driven by a more active lifestyle and increased work hours for most adult members of the family. Businesses are striving to make services more convenient and accessible; regulators must be responsive to the needs of consumers as well. Application forms, consumer educational materials and complaint resolution information can be made more available by regulatory agencies through electronic means.

The Department’s mission of public information and protection is expected to remain essential with the changing demography of Maine’s population, the development of more

complex services and automated delivery systems, as well as increased competition, particularly in the financial services sector. Consumers may have less time to study and evaluate new product offerings and may become more reliant upon the State to screen products offered and to resolve complaints and misunderstandings when they occur.

GOALS - OBJECTIVES - STRATEGIES

01-A Goal #1: To ensure that regulated businesses, occupations and professions provide safe services to the public and conduct themselves in an ethical manner.

01-A-1 MEASURABLE OBJECTIVE: Maximize the benefit to the public resulting from safe and ethical business practices by achieving a decrease of 15% over 1997 figures, in the percentage of regulated individuals and entities found not to be in substantial compliance with Maine statutes, regulations and standards, by June 30, 2000.

01-A-1-001 Strategy: Conduct, on a regularly scheduled basis, examinations, inspections and financial reviews of regulated entities and individuals.

01-A-1-002 Strategy: Develop training and information programs and publications for the benefit of regulated entities and individuals.

01-A-1-003 Strategy: Further develop outreach programs for the public to enhance their understanding of both the products and services that the Department regulates and the types of assistance available from this Department.

01-A-1-004 Strategy: Develop a program of staff training that will ensure the maintenance of the Department's professional standards.

01-A-1-005 Strategy: Develop a series of rating systems which categorize regulated businesses to reflect their level of compliance and the appropriate schedule for future examinations.

01-A-2 MEASURABLE OBJECTIVE: Increase the protection afforded the public against fraudulent and abusive practices in the areas of insurance and securities by achieving an increase of 10% over 1997 figures in the number of new cases opened in FY 2000.

01-A-2-006 Strategy: Develop training and information programs and publications for the benefit of regulated entities and individuals.

01-A-2-007 Strategy: Further develop outreach programs for the public to enhance their understanding of both the products and services that the Department regulates and the types of assistance available from this Department.

01-A-2-008 Strategy: Enhance efforts to secure the cooperation of licensed entities and professionals in reporting fraudulent and abusive practices to the Department.

01-A-3 MEASURABLE OBJECTIVE: Increase by 10% over 1997 figures the number of consumers who rate the services they receive from professional and regulatory boards and agencies as very good or excellent, by June 30, 2000.

01-A-3-009 Strategy: Improve customer service by reducing the average time necessary to resolve consumer complaints.

01-A-3-010 Strategy: Determine the groups served by the agencies of the Department, develop surveys for those groups, establish a system for routinely distributing those surveys and tabulating the results, and develop a baseline against which June 30, 2000 numbers could be measured.

01-A-3-011 Strategy: Identify those areas of Departmental activity on which consumers most rely, and develop a program to continually review how delivery of those services can be improved.

01-A-3-012 Strategy: Provide customer service training for staff after information is compiled and analyzed.

01-A-3-013 Strategy: Identify those aspects of the consumer complaint process which most often impede resolution and develop appropriate solutions.

01-A-3-014 Strategy: Develop training program for Board Complaint Officers or other departmental complaint staff.

01-A-4 MEASURABLE OBJECTIVE: Reduce by 10% over 1997 figures, or maintain at zero, the incidence of insolvency of domestic regulated entities which occasions losses to the business community or the public, by June 30, 2000.

01-A-4-015 Strategy: Maintain adequate staffing and resources for licensing and registration activities.

01-A-4-016 Strategy: Review recent insolvencies to determine adequacy of financial requirements at application.

01-A-4-017 Strategy: Identify types of deficiencies which lead to insolvency, and develop appropriate strategies.

01-B Goal #2: To foster a regulatory environment that protects the public while simultaneously encouraging a positive business climate.

01-B-1 MEASURABLE OBJECTIVE: Increase the Agencies' service rating by regulated entities and individuals 15% over 1997 figures, by June 30, 2000.

01-B-1-018 Strategy: Improve services to licensing applicants by reducing the response time.

01-B-1-019 Strategy: Reduce average staff time for review and response to routine business filings.

01-B-1-020 Strategy: Reduce routine regulatory examination costs.

01-C GOAL #3 To ensure the Department's regulatory processes and technological capabilities keep pace with the entities and professions it regulates.

01-C-1 MEASURABLE OBJECTIVE: Develop an effective and efficient system of licensing, registration and regulation by improving the Department's capacity to accept and dispense applications, complaints, filing fees, and regulatory and consumer information electronically from 10% capacity in 1997, to 80% capacity by June 30, 2000.

01-C-1-021 Strategy: Develop the ability to accept the payment of fees electronically.

01-C-1-022 Strategy: Provide for public, electronic access to licensing and registration forms and information.

01-C-1-023 Strategy: Provide for public, electronic access to educational materials, decisions, orders and notices.

01-C-1-024 Strategy: Develop and maintain next generation licensing system capable of serving the licensing needs of the Department and other State agencies.

01-C-2 **MEASURABLE OBJECTIVE:** The Bureau of Banking and the Bureau of Insurance will have achieved by December 31, 1996, and thereafter maintain, the status of Accreditation as administered by the Conference of State Bank Supervisors and the National Association of Insurance Commissioners.

01-C-2-025 Strategy: Establish initial and ongoing accreditation review for regulatory agencies where available.

01-C-2-026 Strategy: Maintain accreditation of the Bureau of Insurance and the Bureau of Banking.

01-D GOAL #4 **To ensure that state laws and federal mandates are implemented and enforced in a timely and effective manner for the benefit of the public and regulated entities.**

01-D-1 **MEASURABLE OBJECTIVE:** In the absence of a specified deadline, the Department shall implement and enforce each new state law and federal mandate within 1 year of its effective date, and ensure that existing laws, rules and mandates are current, relevant and enforceable.

01-D-1-027 Strategy: Review 10% of statutes, rules and bulletins each calendar year to ensure that they are up to date and continue to be both necessary and adequate to protect the public.

01-D-1-028 Strategy: Enforce existing laws, rules and bulletins.

01-D-1-029 Strategy: Complete implementation of 1995 Rules Review Action Plan established in accordance with Executive Order #6 by June 30, 1997.

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

DEPARTMENT OF PROFESSIONAL AND FINANCIAL
REGULATION

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Reference: Policy Area: 01 ; Umbrella: 02, Unit: 027 ; Citation: T0010 M.R.S.A., Sect. 000008001

Average Count--All Positions: 214,000

Units:

BOARD OF ACCOUNTANCY	MANUFACTURED HOUSING BOARD
ACUPUNCTURE LICENSING BOARD	BOARD OF LICENSURE IN MEDICINE
DIVISION OF ADMINISTRATIVE SERVICES (BUS REG)	MEDICAL SPECIALTY ADVISORY COMMITTEE ON
ADJUSTER LICENSE ADVISORY BOARD	ANESTHESIOLOGY
STATE BOARD OF ALCOHOL AND DRUG COUNSELORS	MEDICAL SPECIALTY ADVISORY COMMITTEE ON EMERGENCY
ARBORIST EXAMINING BOARD	MEDICINE
MAINE STATE BOARD FOR LICENSURE OF ARCHITECTS,	MEDICAL SPECIALTY ADVISORY COMMITTEE ON OBSTETRICS
LANDSCAPE ARCHITECTS AND INTERIOR DESIGNERS	AND GYNECOLOGY
MAINE ATHLETIC COMMISSION	STATE BOARD OF NURSING
BOARD OF BARBERING AND COSMETOLOGY	NURSING HOME ADMINISTRATORS LICENSING BOARD
BUREAU OF BANKING	BOARD OF OCCUPATIONAL THERAPY PRACTICE
BOARD OF BOILER RULES	OIL AND SOLID FUEL BOARD
BOARD OF CHIROPRACTIC LICENSURE	STATE BOARD OF OPTOMETRY
OFFICE OF CONSUMER CREDIT REGULATION	BOARD OF OSTEOPATHIC LICENSURE
BOARD OF COUNSELING PROFESSIONALS LICENSURE	MAINE BOARD OF PHARMACY
BOARD OF DENTAL EXAMINERS	BOARD OF EXAMINERS IN PHYSICAL THERAPY
ELECTRICIANS' EXAMINING BOARD	MAINE STATE PILOTAGE COMMISSION
BOARD OF ELEVATOR AND TRAMWAY SAFETY	PLUMBERS' EXAMINING BOARD
BOARD OF ELEVATOR AND TRAMWAY SAFETY	BOARD OF LICENSURE OF PODIATRIC MEDICINE
STATE BOARD OF REGISTRATION FOR PROFESSIONAL	PROPANE AND NATURAL GAS BOARD
ENGINEERS	STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS
STATE BOARD OF LICENSURE FOR PROFESSIONAL	RADIOLOGIC TECHNOLOGY BOARD OF EXAMINERS
FORESTERS	REAL ESTATE COMMISSION
STATE BOARD OF FUNERAL SERVICE	BOARD OF REAL ESTATE APPRAISERS
GENERAL LINES AGENT EXAMINATION ADVISORY BOARD	BOARD OF RESPIRATORY CARE PRACTITIONERS
STATE BOARD OF CERTIFICATION FOR GEOLOGISTS AND	MEDICAL SPECIALTY ADVISORY COMMITTEE ON RADIOLOGY
SOIL SCIENTISTS	SECURITIES DIVISION
BOARD OF HEARING AID DEALERS AND FITTERS	STATE BOARD OF SOCIAL WORKER LICENSURE
BUREAU OF INSURANCE	BOARD OF EXAMINERS ON SPEECH PATHOLOGY AND
BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS	AUDIOLOGY
BOARD OF LICENSING OF AUCTIONEERS	STATE BOARD OF VETERINARY MEDICINE
OFFICE OF LICENSING AND REGISTRATION	
BOARD OF LICENSING OF DIETETIC PRACTICE	
LIFE AGENT EXAMINATION ADVISORY BOARD	

PURPOSE:

The Department serves the public by examining and overseeing state-chartered financial institutions, regulating bank holding companies, regulating insurance companies, agencies and agents, regulating grantors of consumer credit and by licensing and regulating the real estate industry and numerous professions and occupations.

The Department protects Maine consumers through its licensing, examining, and auditing activities; by conducting programs aimed at increasing voluntary compliance with State laws; by investigating possible violations of law; and by undertaking enforcement actions. The Department responds to consumer complaints and requests for information and conducts educational and outreach programs to make consumers aware of their rights under Maine laws.

The Department fosters a healthy business environment through competent, impartial and efficient regulation, in order to encourage the development of sound and ethical businesses which serve the needs of Maine citizens. The Department and its agencies and boards may be reached via e-mail through its home page on the world wide web at the following internet address:
<http://www.state.me.us/pfr>

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

ORGANIZATION:

The Department of Business Regulation was created in October 1973 as part of State government reorganization designed to consolidate related agencies along functional lines and strengthen executive direction. Some of the agencies originally placed under the jurisdiction of the Department were the Bureau of Banking, Bureau of Insurance, Real Estate Commission, and the Maine State Boxing Commission (renamed Maine Athletic Commission). The Administrative Services Division was established by the Commissioner in 1974 and by statute in C. 553, P.L. 1983. The Special Session of the 106th Legislature established the Bureau of Consumer Protection (renamed the Office of Consumer Credit Regulation) to enforce the Maine Consumer Credit Code, which became effective January 1, 1975.

The Special Session of the 107th Legislature established a central licensing division, now called the Office of Licensing and Registration. Since that time, various other boards have been created and placed within the Division, or have been transferred into the Division from other departments or from independent agency status. The Second Regular Session of the 112th Legislature conducted the first ever audit and program review of the Department. At that time, the Legislature affiliated with the Department the boards which license chiropractors, dentists, medical doctors, nurses, optometrists, osteopaths, pharmacists and podiatrists. In 1987 the name of the Department was changed to Professional and Financial Regulation.

PROGRAM:

The Commissioner is the administrative head of the Department and, as such, budgets for the Department, initiates and coordinates all planning and directs the day-to-day management of the Department.

The Commissioner is responsible for reviewing the operation of agencies within and affiliated with the Department, to insure that each "complies fully with its statutory and public service responsibilities". The Commissioner may not exercise or interfere with the exercise of discretionary regulatory or licensing authority which is vested by statute directly in the Bureaus, Boards and Commissions of the Department.

In the case of affiliated boards, the Commissioner acts as a liaison with the Governor and with other units of state government. Affiliated boards submit their budgets through the Department. The Commissioner develops the Department's legislative program and coordinates it within the Department and with the Administration.

Internet Address: <http://www.state.me.us/pfr/pfrhome.htm>

LICENSES:

See individual agencies.

PUBLICATIONS:

See reports of component units.

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

FINANCES, FISCAL YEAR 1997: The following financial display was generated from this units accounts as recorded in the files of the Bureau of the Budget's MFASIS System

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION	TOTAL FOR ALL FUNDS	GENERAL FUND	SPECIAL REVENUE FUNDS	HIGHWAY FUND	FEDERAL FUNDS	MISC. FUNDS
EXPENDITURES						
SALARIES & WAGES	6,849,622		6,849,622			
HEALTH BENEFITS	1,277,925		1,277,925			
RETIREMENTS	1,191,807		1,191,807			
OTHER FRINGE BENEFITS	83,737		83,737			
OTHER CONTRACT SERVICES STATE	1,152,723		1,152,723			
COMPUTER SERVICES STATE	631,817		631,817			
OTHER CONTRACT SERVICES	1,950,516		1,950,516			
RENTS	714,651		714,651			
COMMODITIES	142,829		142,829			
GRANTS, SUBSIDIES, PENSIONS	55,168		55,168			
EQUIPMENT	310,193		310,193			
INTEREST-DEBT RETIREMENT	140		140			
TRANSFER TO OTHER FUNDS	235,843		235,843			
TOTAL EXPENDITURES	14,596,971		14,596,971			

BOARD OF ACCOUNTANCY

CHERYL HERSOM, ADMINISTRATOR

TDD: (207) 624-8563

Central Office: GARDINER ANNEX, GARDINER, ME 04345

Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333

Established: 1967

Reference: Policy Area: 01 ; Umbrella: 02 Unit: 280 ; Citation: T0032 M.R.S.A., Sect. 000012213

FAX: (207) 624-8637

Telephone: (207) 624-8603

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

LICENSES:

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

ACUPUNCTURE LICENSING BOARD

GERALDINE BETTS, ADMINISTATOR

TDD: (207) 624-8563

Central Office: GARDINER ANNEX, GARDINER, ME 04345

Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333

Established: 1987

Reference: Policy Area: 01 ; Umbrella: 02 Unit: 502 ; Citation: T0032 M.R.S.A., Sect. 000012406

FAX: (207) 624-8637

Telephone: (207) 624-8603

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

The Title of the Board changed October 1, 1996 from Acupuncture Licensing Board to Board of Complementary Health Care Providers to reflect the inclusion of naturopaths in their licensing and regulatory authority.

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

DIVISION OF ADMINISTRATIVE SERVICES (BUS REG)

**S. CATHERINE LONGLEY, COMMISSIONER
LINDA S. GILSON, DIRECTOR, ADMIN. SVCS.**

TDD: (207) 624-8563

Central Office: GARDINER ANNEX, GARDINER, ME 04345

Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333

FAX: (207) 624-8690

Established: 1974

Telephone: (207) 624-8500

Reference: Policy Area:01 ; Umbrella: 02 Unit: 028 ; Citation: T0010 M.R.S.A., Sect. 000008003

Average Count--All Positions: 17,000

PURPOSE:

The Division of Administrative Services was established to provide administrative support services for all of the bureaus, boards and commissions within the Department and for the Department itself.

The Administrative Services Division is responsible for Accounting, Budgeting, Computer Services, Payroll, Personnel, and Purchasing and Inventory Control. It provides centralized accounting and budgeting, centralized purchasing and property recording, and centralized personnel services, which include the preparation of payrolls and related bookkeeping. Most reports required of the Department and the agencies within it are prepared by the Administrative Services Division.

The Information Systems Support Services section was established as part of the Administrative Services Division for the purpose of coordinating automation and electronic communication objectives, as well as to create and administer a comprehensive computer network enhancing each agency's ability to fulfill their mission and to administer a centralized licensing database. Utilizing a planning committee, which consists of a representative from each agency, the committee studies issues, sets standards and develops policies relating to the Department's automation and communication initiatives.

ORGANIZATION:

Within this Division there are three functional units. The first is Financial which provides centralized accounting, budgeting and fiscal services for the Department, as well as the centralization of purchasing and property accounting. The second section, is responsible for all personnel transactions for the Department, including preparation of payroll, affirmative action, contract administration and Worker's Compensation. The last section, Information Systems Support Services, is responsible for the coordination of automation and electronic communication within the Department.

PROGRAM:

The Administrative Services Division provides the services described above for the entire Department of Professional and Financial Regulation. Additionally, the Division is responsible for ordering and arranging for the services provided to all units by outside staff agencies, the landlord and by private parties and vendors. It has continued to computerize its functions through the MFASIS System and the Bureau of Budget in order to provide better and more varied management information reports.

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

The Information Systems Support Services section program includes administration of the Department's centralized licensing database (approximately 179,883 licensee records). This section provides quality control for licensing system data as well as printing of licenses and renewal notices, and printings of rosters and mailing labels for the licensing agencies and the public.

Support services provided by the Information Systems Support Services include training, local area network administration, micro computer support, coordinating the acquisition of hardware and software, limited software programming and facilitating the sharing of resources. Consistent with this effort, a desktop publishing facility is maintained for use by the Department. This section also coordinates telecommunications services and equipment for all agencies and data communications with host systems.
Internet Address: <http://www.state.me.us/pfr/com/admhome2.htm>

LICENSES:

None

PUBLICATIONS:

Rosters of all licenses of Boards, Bureaus or Commissions are printed upon request. Lists, labels or diskettes of licensees can be purchased for a nominal fee and can be as brief or as complete as necessary.

FINANCES, FISCAL YEAR 1997: The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS System

DIVISION OF ADMINISTRATIVE SERVICES (BUS REG)	TOTAL		SPECIAL			
	ALL FUNDS	GENERAL FUND	REVENUE FUNDS	HIGHWAY FUND	FEDERAL FUNDS	MISC. FUNDS
EXPENDITURES						
SALARIES & WAGES	600,186		600,186			
HEALTH BENEFITS	104,151		104,151			
RETIREMENTS	102,151		102,151			
OTHER FRINGE BENEFITS	6,990		6,990			
OTHER CONTRACT SERVICES STATE	53,284		53,284			
COMPUTER SERVICES STATE	5,377		5,377			
OTHER CONTRACT SERVICES	504,328		504,328			
RENTS	50,719		50,719			
COMMODITIES	35,880		35,880			
EQUIPMENT	262,367		262,367			
INTEREST-DEBT RETIREMENT	60		60			
TRANSFER TO OTHER FUNDS	2,030		2,030			
TOTAL EXPENDITURES	1,727,523		1,727,523			

ADJUSTER LICENSE ADVISORY BOARD

ALESSANDRO A IUPPA, ACTING SUPERINTENDENT

Central Office: 124 NORTHERN AVENUE, GARDINER, ME 04345

Mail Address: 34 STATE HOUSE STATION, AUGUSTA, ME 04333

Established: 1989

FAX: (207) 624-8599

Telephone: (207) 624-8475

Reference: Policy Area: 01 ; Umbrella: 02 Unit: 036 ; Citation: T0024A.M.R.S.A., Sect. 000001525

PURPOSE:

The purposes of the Adjuster License Advisory Board are to make recommendations to the superintendent with respect to the scope, type and conduct of written examinations for license, and the approval of Pre-Licensing Courses.

ORGANIZATION:

The board consists of 5 members, to be appointed by the superintendent of the Bureau of Insurance for terms of 3 years each, on a staggered term system so as to prevent the terms of more than 2 members from expiring in any one year.

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No person shall be eligible for appointment to such a board unless that person is active on a full-time basis as an adjuster, and is a resident of this State. No person may be reappointed to a board for more than one 3-year term.

In appointing members to the adjuster advisory board, the superintendent, so far as practicable, must appoint persons with prior experiences in the education and training of adjusters; and so far as practicable, shall constitute the board to include at least one licensed adjuster and one representative of a domestic insurer. The board may consult with the superintendent with respect to possible legislation or regulatory measures designed or intended to improve the quality and nature of the lines of insurance and aspects of the insurance business within its concerns. The written reports of the board must be matters of public record, and available from the superintendent upon request.

Lastly, the members of the board serve without compensation, but with the superintendent's approval may be reimbursed for their reasonable travel expenses in attending any meeting called or approved by the superintendent.

PROGRAM:

The Adjuster Licensing Advisory Board met twice during Fiscal year 96-97 to review, update and develop examination questions. The Board remains on call as needed.

LICENSES:

This Board issues no licenses itself, but participates in preparation of examinations used as a basis for licensing by the Bureau of Insurance.

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

STATE BOARD OF ALCOHOL AND DRUG COUNSELORS

GERALDINE L. BETTS, ADMINISTRATOR

TDD: (207) 624-8563

*Central Office: GARDINER ANNEX, GARDINER, ME 04345
Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333 FAX: (207) 624-8637
Established: 1977 Telephone: (207) 624-8603
Reference: Policy Area:01 ; Umbrella: 02 Unit: 384 ; Citation: T0032 M.R.S.A., Sect. 000006201*

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

LICENSES:

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

ARBORIST EXAMINING BOARD

CHERYL HERSOM, ADMINISTRATOR

TDD: (207) 624-8563

*Central Office: GARDINER ANNEX, GARDINER, ME 04345
Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333 FAX: (207) 624-8637
Established: 1933 Telephone: (207) 624-8603
Reference: Policy Area:01 ; Umbrella: 02 Unit: 287 ; Citation: T0032 M.R.S.A., Sect. 000002001*

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

LICENSES:

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

**MAINE STATE BOARD FOR LICENSURE OF ARCHITECTS,
LANDSCAPE ARCHITECTS AND INTERIOR DESIGNERS**

CAROL LEIGHTON, ADMINISTRATOR

TDD: (207) 624-8563

Central Office: GARDINER ANNEX, GARDINER, ME 04345

Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333

Established: 1945

Reference: Policy Area: 01 ; *Umbrella:* 02 ; *Unit:* 288 ; *Citation:* T0032 *M.R.S.A., Sect.* 000000211

FAX: (207) 624-8637

Telephone: (207) 624-8603

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

LICENSES:

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

MAINE ATHLETIC COMMISSION

CHERYL HERSOM, ADMINISTRATOR

TDD: (207) 624-8563

Central Office: GARDINER ANNEX, GARDINER, ME 04345

Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333

Established: 1939

Reference: Policy Area: 01 ; *Umbrella:* 02 ; *Unit:* 035 ; *Citation:* T0032 *M.R.S.A., Sect.* 000013501

FAX: (207) 624-8637

Telephone: (207) 624-8603

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

LICENSES:

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

BOARD OF BARBERING AND COSMETOLOGY

GERALDINE BETTS, ADMINISTRATOR

TDD: (207) 624-8563

Central Office: GARDINER ANNEX, GARDINER, ME 04345

Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333

FAX: (207) 624-8637

Established: 1937

Telephone: (207) 624-8603

Reference: Policy Area: 01 ; *Umbrella:* 02 *Unit:* 265 ; *Citation:* T0032 *M.R.S.A., Sect.* 000014211

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

LICENSES:

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

BUREAU OF BANKING

H. DONALD DEMATTEIS, SUPERINTENDENT

WATS: (207) 624-8570

Central Office: GARDINER ANNEX, NORTHERN AVE, GARDINER, ME 04345

Mail Address: 36 STATEHOUSE STATION, AUGUSTA, ME 04333-0036

FAX: (207) 624-8590

Established: 1827

Telephone: (207) 624-8570

Reference: Policy Area: 01 ; *Umbrella:* 02 *Unit:* 029 ; *Citation:* T0009B *M.R.S.A., Sect.* 000000121

Average Count--All Positions: 37.000

PURPOSE:

The Bureau of Banking was established to supervise all financial institutions chartered by the State in a manner to maintain and promote safe and sound financial practices; strength, stability and efficiency of financial institutions; security of deposit and share funds; reasonable and orderly competition; and development and expansion of financial services advantageous to the public welfare; and, through the Securities Division, to assure that investors and the general public have the full and accurate information needed to make investment decisions, and that transactions in securities be effected fairly and honestly.

The Bureau has the power and responsibility to promulgate rules and regulations to govern the activities, operations and procedures of financial institutions; to conduct an on-site examination of each financial institution supervised by the Bureau at least every 36 months; to require reports and information necessary for proper supervision; to summon persons and subpoena witnesses in connection with Bureau matters; to order any person to cease violating any law or regulation or cease engaging in any unsafe and unsound financial practice; to approve or deny applications for new charters and applications by existing financial institutions to merge, acquire, consolidate, close offices or convert to another charter. In January, 1996, the Bureau

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

assumed the responsibility of enforcing Title 9-A M.R.S.A., the Maine Consumer Credit Code, in banks, savings and loans, and credit unions.

ORGANIZATION:

From the date of Maine's statehood until 1831, only occasional committees were appointed by the Legislature to examine certain banks whenever deemed expedient. In 1831, the Legislature directed the Governor and Council to appoint two Commissioners who were required to examine each incorporated bank at least once a year. The powers and duties of the Commissioners were gradually broadened to include authorization to supervise every state bank and savings bank in the state; to set forth procedures to guard against unsafe practices; approval of mergers and new charters under a public convenience and advantage standard; and supervision and regulation of credit unions. In conjunction with a 1973 state government reorganization, the Bureau of Banks and Banking was placed within the Department of Business Regulation.

In early 1985, a reorganization resulted in the implementation of the current structure with the Bureau of Banking, an agency within the Department of Professional and Financial Regulation, divided into two functional groups with the responsibility for coordination and development of each area delegated to a senior manager. The Chief Bank Examiner supervises the Bureau's professional field staff, and coordinates and monitors examinations and problem bank supervision. The Deputy Superintendent is responsible for supervision of the development of the Bureau's data base, bank monitoring systems, legislative and rulemaking activities; financial analysis; consumer outreach activities; and management of the office staff.

PROGRAM:

The scope of the Examination Division's responsibility includes safety and soundness, electronic data processing, bank holding companies and formal compliance review. During fiscal year 96-97, 22 safety and soundness examinations and 37 specialized examinations were completed. A computer based system also monitors bank performance between on-site visits. The Consumer Outreach Program provides consumers with information needed to make wise financial choices. Consumer Outreach produced and distributed over 11,000 copies of educational booklets, 171 videos, and made 53 educational presentations at Maine schools on financial topics important to young adults, during the last fiscal year. The Bureau's complaint resolution program responded to over 1,247 consumer complaints and/or inquiries. The Bureau assisted Maine consumers in obtaining \$181,299 in restitution.

During fiscal year 1997, the Bureau processed 17 notifications effecting 25 branch establishments, relocation or closing and 9 notifications effecting the establishment, relocation or closing of 29 ATM's. The Bureau also processed applications for the formation of two subsidiaries, one credit union merger, and one acquisition. Legislation enacted in 1997 authorized state-chartered financial institutions to establish, relocate and close satellite facilities without the Bureau's approval and, for most institutions, eliminated the prior approval requirement to establish or relocate a branch. These changes should substantially reduce the number of applications and notifications processed by the Bureau. Recently enacted legislation has also permitted the chartering of specialized chartered financial institutions: Universal Bank, Nondepository Trust Company, Merchant Bank, thus creating the potential for new "niche" banks in Maine.

The Bureau has created a site on the World Wide Web which contains consumer information, the Bureau's booklets, regulations and bulletins. Consumer complaints can now be filed electronically using this media. Internet Address: <http://www.state.me.us/pfr/bkg/bkghome.htm>

PUBLICATIONS:

Banking Regulations and Bulletins (\$65.00), Annual Updates (\$20.00);
Status of Maine's Financial Institutions - 1/15/85 to 1/15/96 (\$10.00 ea.)
Consumer booklets free to Maine residents, others \$1.50:

Bureau of Banking's Consumer Outreach Program,
Understanding Mortgage Points and Other Settlement Costs,
Student's Guide to Banking and Personal Money Management,
Home Mortgage Financing in the 1990's,
Business Person's Guide to Banking in Maine,

Free video rentals:

Applying for a Loan,
Adventures in Money Management,

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

Students Ask Questions I and II,
The Real World...Part I

FINANCES, FISCAL YEAR 1997: The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS System

BUREAU OF BANKING	TOTAL FOR ALL FUNDS	GENERAL FUND	SPECIAL REVENUE FUNDS	HIGHWAY FUND	FEDERAL FUNDS	MISC. FUNDS
EXPENDITURES						
SALARIES & WAGES	1,264,880		1,264,880			
HEALTH BENEFITS	208,649		208,649			
RETIREMENTS	230,686		230,686			
OTHER FRINGE BENEFITS	14,505		14,505			
OTHER CONTRACT SERVICES STATE	25,188		25,188			
COMPUTER SERVICES STATE	12,720		12,720			
OTHER CONTRACT SERVICES	226,444		226,444			
RENTS	96,491		96,491			
COMMODITIES	14,658		14,658			
EQUIPMENT	2,532		2,532			
TRANSFER TO OTHER FUNDS	12,442		12,442			
TOTAL EXPENDITURES	2,109,195		2,109,195			

BOARD OF BOILER RULES

CHERYL HERSOM, ADMINISTRATOR

TDD: (207) 624-8563

Central Office: GARDINER ANNEX, GARDINER, ME 04345

Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333

Established: 1931

Reference: Policy Area: 01 ; Umbrella: 02 Unit: 174 ; Citation: T0032

FAX: (207) 624-8637

Telephone: (207) 624-8603

M.R.S.A., Sect. 000015101

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

BOARD OF CHIROPRACTIC LICENSURE

GERALDINE L. BETTS, ADMINISTRATOR

TDD: (207) 624-8563

Central Office: GARDINER ANNEX, GARDINER, ME 04345

Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333

Established: 1923

Reference: Policy Area: 01 ; Umbrella: 02 Unit: 297 ; Citation: T0032

FAX: (207) 624-8637

Telephone: (207) 624-8603

M.R.S.A., Sect. 000000501

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

LICENSES:

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

OFFICE OF CONSUMER CREDIT REGULATION

WILLIAM N LUND, DIRECTOR

WATS: (800) 332-8529

TDD: (207) 624-8563

Central Office: GARDINER ANNEX, GARDINER, ME 04345

Mail Address: 35 STATEHOUSE STA, AUGUSTA, ME 04333-0035

Established: 1975

Reference: Policy Area: 01 ; *Umbrella:* 02 ; *Unit:* 030 ; *Citation:* T0009A M.R.S.A., Sect. 006-00103

Average Count--All Positions: 11.000

FAX: (207) 582-7699

Telephone: (207) 624-8527

PURPOSE:

The Office of Consumer Credit Regulation was established to protect the citizens of Maine from unfair and deceptive practices with respect to consumer credit. The primary responsibility of the Agency is to protect Maine consumers through implementation of the Maine Consumer Credit Code. The Code requires the Agency to promote the development of equitable consumer credit practices; encourage competition among credit grantors; and assure that the regulation of consumer credit transactions in Maine conforms to the policies of the federal Truth-in-Lending Act.

In addition, the Agency is responsible for administration of consumer-related State Acts concerning collection agencies, simplified consumer loan contracts, credit reporting agencies, credit services organizations, rent-to-own companies, pawnbrokers and money order issuers.

ORGANIZATION:

The Maine Consumer Credit Code, enacted by the 106th Legislature, became effective on January 1, 1975 and provided for the establishment of an independent Bureau of Consumer Protection within the Department of Business Regulation. All personnel of the Division of Personal and Consumer Finance of the Bureau of Banking were absorbed by the Bureau of Consumer Protection. The 110th Legislature changed the name of the agency to the Bureau of Consumer Credit Protection. Public Law 390 (1995) again changed the name of the agency, to the "Office of Consumer Credit Regulation," effective January 1, 1996. This legislation also shifted responsibility for compliance by banks and credit unions with the Maine Consumer Credit Code to the Bureau of Banking.

PROGRAM:

During FY 97, 324 creditors, 24 collection agencies, 7 credit services organizations and 3 credit reporting agencies were examined. During this period, creditors refunded \$15,700.68 to consumers as a result of violations discovered during the examination process. The Bureau cited 334 violations of Truth-in-Lending Laws and 269 Consumer Credit Code violations after reviewing 13,251 transactions. The Bureau negotiated 2 Assurances of Discontinuance and 1 Administrative Order involving violations of lender, credit reporting and collection laws. The Bureau's Complaint Division responded to approximately 2,409 consumer grievances, including 181 formal written complaints. Many were mediated informally, by telephone, while others required conferences, hearings or formal resolutions. As a result of the efforts of the Complaint Division, an additional \$56,777.10 was credited and refunded to consumers.

The Bureau licensed or registered the following creditors and businesses in FY 97:

Supervised Lenders (201 main offices, 131 branches): 332; Other Creditors (excluding branches)*: 913; Sales Finance Companies: 109; Collection Agencies: 84; Credit Services Organizations: 33; Credit Reporting Agencies: 25; Money Order Issuers: 12. This results in a grand total of 1,508 licensees and registrants.

*This year's "Other Creditor" tally includes the following categories;

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

Insurance Premium Finance Companies: 4; Mobile Home Dealers: 48; New Car Dealers: 151; Used Car Dealers: 155; Rent-to-Own Merchants: 28; Pawnbrokers: 50.

LICENSES:

License:

Collection Agencies, Supervised Lenders, Repossession Companies and Money Order Issuers.

Registration:

Consumer Credit Code Notification, Credit Services Organizations, Credit Reporting Agencies, Rent-to-Own Companies and Pawnbrokers.

PUBLICATIONS:

Down Easter's Pocket Credit Guide, Cut Rate Auto Financing, Downeaster Consumer Guide to Credit Bureaus and Credit Reports, Downeaster's Guide to Debt Collections and Repossession. (All of the preceding are free to Maine residents.) Creditor Update-Quarterly Newsletter for businesses, and "Do You Need a License? Business Guide" (Both free to interested parties).

FINANCES, FISCAL YEAR 1997: The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS System

OFFICE OF CONSUMER CREDIT REGULATION	TOTAL FOR					
	ALL FUNDS	GENERAL FUND	SPECIAL REVENUE FUNDS	HIGHWAY FUND	FEDERAL FUNDS	MISC. FUNDS
EXPENDITURES						
SALARIES & WAGES	348,823		348,823			
HEALTH BENEFITS	61,649		61,649			
RETIREMENTS	62,283		62,283			
OTHER FRINGE BENEFITS	2,184		2,184			
OTHER CONTRACT SERVICES STATE	7,726		7,726			
COMPUTER SERVICES STATE	5,577		5,577			
OTHER CONTRACT SERVICES	64,409		64,409			
RENTS	32,254		32,254			
COMMODITIES	2,395		2,395			
TRANSFER TO OTHER FUNDS	3,664		3,664			
TOTAL EXPENDITURES	590,964		590,964			

BOARD OF COUNSELING PROFESSIONALS LICENSURE

ELAINE THIBODEAU, ADMINISTRATOR

WATS: (000) 000-0000
TDD: (207) 624-8563

Central Office: GARDINER ANNEX, GARDINER, ME 04345

Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333

Established: 1989

Reference: Policy Area:01 ; Umbrella: 02 Unit: 514 ; Citation: T0032

FAX: (207) 624-8637

Telephone: (207) 624-8603

M.R.S.A., Sect. 000013852

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

LICENSES:

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

BOARD OF DENTAL EXAMINERS

WILLIAM C CADDON, D.M.D., PRESIDENT

Central Office: 2 BANGOR STREET, AUGUSTA, ME 04330

Mail Address: 143 STATEHOUSE STATION, AUGUSTA, ME 04333-0143

Established: 1991

Telephone: (207) 287-3333

Reference: Policy Area: 01 ; Umbrella: 02 Unit: 313 ; Citation: T0032 M.R.S.A., Sect. 000001071

Average Count--All Positions: 1.000

PURPOSE:

The Board of Dental Examiners was established to protect the lives and health of the people of the State of Maine through regulation of the practice of dentistry so as to maintain high professional standards. The primary responsibilities of the Board are to license qualified applicants for a certificate to practice dentistry, dental hygiene, denturism or radiography in Maine; collect payment of specified fees to register dentists and dental hygienists biannually, denturists annually and radiographers every five years who are practicing in the State; to make such rules, not contrary to law, as the Board deems necessary for the performance of its duties; to investigate all complaints and all cases of noncompliance with, or violations of, the provisions of laws relating to dentists and to institute or cause to be instituted appropriate proceedings in connection therewith; and to affiliate with the American Association of Dental Examiners as an active member.

ORGANIZATION:

The Board of Dental Examiners, originally established in 1891 as the Board of Examiners for Dentists, consists of five members of the dental profession, a consumer and a dental hygienist for a term of five years, all appointed by the Governor. Dentist members must be graduates of a reputable dental college and have been in the practice of dentistry in Maine for at least ten years immediately preceding the appointment. The dental hygienist member must be a graduate of an accredited dental hygiene college and have been practicing dental hygiene in the State for at least 6 years immediately preceding appointment. The Board, at its annual meeting, elects from its members a president, vice president and secretary-treasurer. The National Board and the Northeast Regional Board serve as examinations for licensure. As members of the Northeast Regional Boards, each year Board members are assigned schools at which they administer the exam.

PROGRAM:

During fiscal year 1997, the Board of Dental Examiners met at least monthly with lengthy agendas, including interviews for licensure, consumer and dentists complaints, rules, and informal hearings with dentists, consumers and their attorneys.

Twenty-eight dentists became newly licensed in the State of Maine for a total of 946 dentists currently registered for the biennium 1996-1997. Of these 313 list out of state residences and/or practices. The Board issued 23 new dental hygiene licenses during this fiscal year, bringing the total of Maine licensed hygienists to 1034 of which 150 are out of state. Registered dental radiographers now number 790. Forty-one dentists hold permits to administer anesthesia/sedation.

During this fiscal year the Board has started issuing temporary permits to denturists. Twelve such permits were issued to denturists who are practicing under the direct supervision of Maine licensed dentists.

The 118th Legislature has approved a bill to amend the laws relating to dentistry to identify and rehabilitate impaired dentists. As a result, the Maine Board of Dental Examiners will join the Medical and Osteopathic Boards in their Professional Review Committee. This legislature has also approved an amendment to authorize the Board to issue special permits to qualified applicants to give hands-on instruction of continuing education courses.

Rule changes this year allows dental hygienists who qualify to administer local anesthesia for dental hygiene purposes under the direct supervision of a dentist.

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LICENSES:

Dentistry
 Dental Hygiene
 Denturism
 Dental Radiography
 Anesthesia/Sedation

PUBLICATIONS:

"Laws Relating to the Practice of Dentistry, Dental Hygiene and Denture Technology" (Free)
 Newsletter mailed to all Maine licensed dentists and dental hygienists.

FINANCES, FISCAL YEAR 1997: The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS System

BOARD OF DENTAL EXAMINERS	TOTAL	SPECIAL				
	FOR ALL FUNDS	GENERAL FUND	REVENUE FUNDS	HIGHWAY FUND	FEDERAL FUNDS	MISC. FUNDS
EXPENDITURES						
SALARIES & WAGES	35,190		35,190			
HEALTH BENEFITS	5,356		5,356			
RETIREMENTS	5,264		5,264			
OTHER FRINGE BENEFITS	530		530			
OTHER CONTRACT SERVICES STATE	7,929		7,929			
COMPUTER SERVICES STATE	5,606		5,606			
OTHER CONTRACT SERVICES	22,400		22,400			
RENTS	8,101		8,101			
COMMODITIES	2,871		2,871			
TRANSFER TO OTHER FUNDS	2,009		2,009			
TOTAL EXPENDITURES	95,256		95,256			

ELECTRICIANS' EXAMINING BOARD

CHERYL HERSOM, ADMINISTRATOR

TDD: (207) 624-8563

Central Office: GARDINER ANNEX, GARDINER, ME 04345

Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333

FAX: (207) 624-8637

Established: 1953

Telephone: (207) 624-8603

Reference: Policy Area: 01 ; Umbrella: 02 Unit: 318 ; Citation: T0032 M.R.S.A., Sect. 000001151

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

LICENSES:

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

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BOARD OF ELEVATOR AND TRAMWAY SAFETY

CHERYL HERSOM, ADMINISTRATOR

Central Office: GARDINER ANNEX, GARDINER, ME 04345 *TDD:* (207) 624-8563
Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333 *FAX:* (207) 624-8637
Established: 1949 *Telephone:* (207) 624-8603
Reference: Policy Area: 01 ; Umbrella: 02 ; Unit: 186 ; Citation: T0032 *M.R.S.A., Sect.* 000015201

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

BOARD OF ELEVATOR AND TRAMWAY SAFETY

CHERYL HERSOM, ADMINISTRATOR

Central Office: GARDINER ANNEX, GARDINER, ME 04345 *TDD:* (207) 624-8563
Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333 *FAX:* (207) 624-8637
Established: 1949 *Telephone:* (207) 624-8603
Reference: Policy Area: 01 ; Umbrella: 02 ; Unit: 386 ; Citation: T0032 *M.R.S.A., Sect.* 000015205

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS

EDWIN H. MACARTHUR P.E., CHAIRMAN

Central Office: TERML BLDG-AUGUSTA ST AIRPORT, AUGUSTA, ME 04330
Mail Address: 92 STATE HOUSE STATION, AUGUSTA, ME 04333
Established: 1935 *Telephone:* (207) 287-3236
Reference: Policy Area: 01 ; Umbrella: 02 ; Unit: 322 ; Citation: T0032 *M.R.S.A., Sect.* 000001301
Average Count--All Positions: 1.000

PURPOSE:

The State Board of Registration for Professional Engineers was established to protect the public through regulation of the practice of engineering in the State of Maine so as to maintain high professional standards. The Board is authorized to examine, certify, and grant certificates to applicants who satisfactorily qualify as professional engineers or engineer-interns in the State, upon payment of specified fees; to publish and distribute a roster of all registered professional engineers; to make rules and regulations not inconsistent with State Laws relating to engineers; to investigate complaints of alleged violations of such laws, conduct hearings, subpoena witnesses and institute disciplinary action as warranted.

ORGANIZATION:

The State Board of Registered Professional Engineers, established in 1935, is composed of six professional engineers and one representative of the public, appointed by the Governor for terms of five years. The Board annually elects from its membership a chairman, vice-chairman and a secretary. The latter may or may not be a member of the Board.

PROGRAM:

During FY 1997, 211 candidates successfully completed the requirements for registration as Professional Engineers. Of that number, 65 qualified through

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written examination, 128 by Comity with other jurisdictions, and 18 by oral examination. These candidates are rapidly registered as their credentials have been previously gathered and verified. As of June 30, 1997, a total of 5,346 engineers were registered. Approximately 50% reside out of state. During FY 1997, 207 applicants were examined for certification as Engineer-Interns. Of those examined, 141 passed.

The Board maintains membership in the National Council of Examiners for Engineering and Surveying (NCEES). Members fully participate in the activities of the Council. Several serve on Council Committees and in some cases serve as chairman of a committee. Individual members of the Board also maintain membership in several state and national engineering societies. These efforts help in keeping abreast of the activities of the engineering profession. The Board used the Uniform Written Examination as provided by the NCEES for both the Fundamental (EI) and Principles and Practice (PE) examinations. These examinations are made available to state boards that desire to use them and are graded and returned by the NCEES at cost. Boards of all 50 states, the District of Columbia and 4 territorial jurisdictions use the NCEES examinations. This is an aid in attaining better uniformity in conducting comity among the several state boards and assume minimum competence to practice.

Two periods of written examinations are given each year by the Board, in the fall and in the spring. Fall examinations were given at Augusta on October 25, 1996 for 64 Professional Engineer candidates. On October 26, 1996 for 85 Engineer-Intern candidates. Of those taking the P.E. exam, 24 passed. Of those taking the EI exam, 59 passed. Spring examinations were given at Augusta. On April 18, 1997, 92 candidates sat for the P.E. exam in Augusta. Also on April 19, 1996, 164 candidates sat for the EI exam at either Augusta or Orono. Of those taking the P.E. exam, 52 passed. Of those taking the EI exam, 82 passed. Of the 25 oral candidates who sat for the examination, 21 were found qualified and registered as Professional Engineers. The Board held 4 meetings during FY 97. These were held September 12, 1996, January 16, March 27, and June 19, 1997.

LICENSES:

Registration:

Professional Engineer Registration
Engineer-Intern Certification

PUBLICATIONS:

"Fifty-second Report With Roster of Professional Engineers" as of
December 31, 1995 (\$10.00)
"Suppliment to the Fifty-second Report with Roster of Professional
Engineers" as of December 31, 1996 (\$10.00)
"Title 32, Revised Statutes of Maine, Chapter 19 Professional Engineers,
Bylaws and Rules and Regulations of the State Board of Registration
for Professional Engineers"
"Newsletter" - Spring of each year

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FINANCES, FISCAL YEAR 1997: The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS System

STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS	TOTAL		SPECIAL			
	FOR ALL FUNDS	GENERAL FUND	REVENUE FUNDS	HIGHWAY FUND	FEDERAL FUNDS	MISC. FUNDS
EXPENDITURES						
SALARIES & WAGES	29,326		29,326			
HEALTH BENEFITS	5,753		5,753			
RETIREMENTS	4,477		4,477			
OTHER FRINGE BENEFITS	454		454			
OTHER CONTRACT SERVICES STATE	45,668		45,668			
COMPUTER SERVICES STATE	4,915		4,915			
OTHER CONTRACT SERVICES	30,067		30,067			
RENTS	6,360		6,360			
COMMODITIES	1,240		1,240			
TRANSFER TO OTHER FUNDS	1,872		1,872			
TOTAL EXPENDITURES	130,132		130,132			

STATE BOARD OF LICENSURE FOR PROFESSIONAL FORESTERS

CAROL LEIGHTON, ADMINISTRATOR

TDD: (207) 624-8563

Central Office: GARDINER ANNEX, GARDINER, ME 04345

Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333

Established: 1975

Reference: Policy Area: 01 ; *Umbrella:* 02 ; *Unit:* 333 ; *Citation:* T0032

FAX: (207) 624-8637

Telephone: (207) 624-8603

M.R.S.A., Sect. 000005004

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

LICENSES:

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

STATE BOARD OF FUNERAL SERVICE

ELAINE THIBODEAU, ADMINISTRATOR

TDD: (207) 624-8563

Central Office: GARDINER ANNEX, GARDINER, ME 04345

Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333

Established: 1903

Reference: Policy Area: 01 ; *Umbrella:* 02 ; *Unit:* 331 ; *Citation:* T0032

FAX: (207) 624-8637

Telephone: (207) 624-8603

M.R.S.A., Sect. 000001451

ORGANIZATION:

All professional and occupational boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

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LICENSES:

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

GENERAL LINES AGENT EXAMINATION ADVISORY BOARD
ALESSANDRO A IUPPA, ACTING SUPERINTENDENT

Central Office: 124 NORTHERN AVENUE, GARDINER, ME 04345
Mail Address: 34 STATE HOUSE STATION, AUGUSTA, ME 04333 *FAX:* (207) 624-8599
Established: *Telephone:* (207) 624-8475
Reference: Policy Area: 01 ; Umbrella: 02 Unit: 033 ; Citation: T0024A.M.R.S.A., Sect. 000001525

PURPOSE:

The main purposes of the General Lines Agent Examination Advisory Board are to make recommendations to the superintendent with respect to the scope, type and conduct of written examinations for license and approval of pre-licensing courses.

ORGANIZATION:

The General Lines Agent Examination Advisory Board consists of 5 members, to be appointed by the superintendent of the Bureau of Insurance for terms of 3 years each, on a staggered term system so as to prevent the terms of more than 2 members from expiring in any one year. No person shall be eligible for appointment to such a board unless that person is active on a full-time basis in the general lines insurance business and is a resident of this State. No person may be reappointed to a board for more than one 3-year term. In appointing members to the general lines advisory board, the superintendent, so far as practicable, must appoint persons with prior experience in the education and training of agents or prospective agents; and so far as practicable, shall constitute the board to include at least one licensed agent and one representative of a domestic insurer.

The Board may, in addition, consult with the superintendent with respect to possible legislation or regulatory measures designed or intended to improve the quality and nature of the solicitation and servicing of property, casualty or surety insurance by licensed general lines agents. The written reports of the board must be matters of public record, and available from the superintendent upon request.

Lastly, the members of the board serve without compensation, but with the superintendent's approval may be reimbursed for their reasonable travel expenses in attending any meeting called or approved by the superintendent.

PROGRAM:

During Fiscal Year 96-97, the General Lines Agent Examination Board met twice to review, update and develop examination questions. This board remains on call as needed.

LICENSES:

The Board issues no licenses itself, but participates in preparation of examinations used as a basis for licensing by the Bureau of Insurance.

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

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**STATE BOARD OF CERTIFICATION FOR GEOLOGISTS AND
SOIL SCIENTISTS**

CHERYL HERSOM, ADMINISTRATOR

Central Office: GARDINER ANNEX, GARDINER, ME 04345 *TDD:* (207) 624-8563
Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333 *FAX:* (207) 624-8637
Established: 1973 *Telephone:* (207) 624-8603
Reference: Policy Area: 01 ; *Umbrella:* 02 ; *Unit:* 070 ; *Citation:* T0032 *M.R.S.A., Sect.* 000004907

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

BOARD OF HEARING AID DEALERS AND FITTERS

ELAINE THIBODEAU, ADMINISTRATOR

Central Office: GARDINER ANNEX, GARDINER, ME 04345 *TDD:* (207) 624-8563
Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333 *FAX:* (207) 624-8637
Established: 1969 *Telephone:* (207) 624-8603
Reference: Policy Area: 01 ; *Umbrella:* 02 ; *Unit:* 164 ; *Citation:* T0032 *M.R.S.A., Sect.* 000001660A

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

LICENSES:

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

BUREAU OF INSURANCE

ALESSANDRO A IUPPA, ACTING SUPERINTENDENT

Central Office: GARDINER ANNEX, GARDINER, ME 04345 *WATS:* (800) 300-5000
Mail Address: 34 STATE HOUSE STATION, AUGUSTA, ME 04333 *FAX:* (207) 624-8599
Established: 1970 *Telephone:* (207) 624-8475
Reference: Policy Area: 01 ; *Umbrella:* 02 ; *Unit:* 031 ; *Citation:* T0024A *M.R.S.A., Sect.* 000000200
Average Count--All Positions: 73,000

PURPOSE:

To regulate all insurance companies granted a certificate of authority in Maine, to protect the public, and to license insurance agents, brokers, consultants and adjusters in the public interest. To accomplish these purposes the Bureau is empowered to license insurance companies to operate in the State of Maine. It also licenses non-profit hospitals, medical or other health service organizations, health maintenance organizations, medical utilization review entities, third-party administrators, advisory organizations and reinsurance intermediaries/managers. The Bureau registers preferred provider

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organizations, risk purchasing groups, risk retention groups, managing general agents and employee leasing plans.

The Bureau examines domestic insurers not less than once every five years to insure the soundness of the insurance company's financial position. In addition, the Bureau has certain limited responsibilities for the examination of alien and foreign insurers. The Bureau also reviews the annual statements of insurance companies, and examines and issues licenses to all qualified applicants for licenses as insurance agents, brokers, consultants, corporations and adjusters. Also, the Bureau is responsible for the administration of the rate-regulatory law of the State of Maine, and all policy forms and contracts used in Maine must be filed by insurance companies for approval by the Bureau. The Bureau is responsible for authorizing and reviewing self-insurance status for both individual and group self-insurers for workers compensation as well as captive approval and regulation.

The Bureau may seek suspension or revocation of licenses in instances where insurance companies, agents, brokers, consultants or adjusters have failed to comply with the lawful regulations of the Bureau or the statutory provisions of Title 24 or of Title 24-A.

ORGANIZATION:

In 1868 a State Bank and Insurance Examiner was appointed and charged with making annual examinations of banks and insurance companies. Two years later, in 1870, the Office of the Insurance Commissioner was created, with the provision that this person could not at the same time serve as the Examiner of Banks. The Office of the Insurance Commissioner became the Insurance Department in 1959.

Under the plan for State Government reorganization, the Insurance Department became the Bureau of Insurance and was placed within the Department of Professional and Financial Regulation, effective October 3, 1973.

PROGRAM:

The programs of the Bureau are implemented through various sections. The Life and Health Actuarial Section and Property and Casualty Section provide consumer assistance, analyzes and regulates rates for property and casualty insurance, evaluates reserve levels for workers' compensation self insured trust plans and evaluates the medical liability Rural Access and Demonstration Projects; the Workers' Compensation Section receives and resolves complaints and disputes involving workers' compensation rating. Alternative Risk Markets Section reviews and evaluates applications for self insurance authority and coordinates the filing of documents, reports and information with other agencies and departments.

The Administrative Unit is responsible for the organization and maintenance of administrative and legislative files; the Licensing Section processes licenses for new companies, agents, brokers, consultants and agencies; the Examination Section audits domestic insurance companies; the Financial Analysis Section performs financial reviews of insurance companies and licenses companies seeking to do business in Maine. The Legal Division provides in-house legal support services to the Superintendent and works in close cooperation with the Office of the Attorney General.

The Life and Health Section reviews life and health policy forms (and rates), processes consumer complaints and requests for information, processes license applications for medical utilization review entities, preferred provider organizations, reviews managed care networks, and maintains data bases for and evaluates mandated health insurance benefits; the Market Conduct Section enforces action involving violations of the Maine Insurance Code resulting in the suspension and/or revocation of agent licenses.

LICENSES:

License: Insurance Agents (Res. & Nonres.); Insurance Brokers (Res. & Nonres.); Insurance Adjusters (Res. & Nonres.); Insurance Consultants (Res. & Nonres.); Surplus Lines Insurance Brokers; Insurance Agencies (Res. & Nonres.); Road Service Co. & Agents; Insurance Companies; Fraternal Companies; Inter-Insurers; Health Maintenance Organizations; Non-profit Hospital, Medical Assoc.; Medical Utilization Review Entities; Third-party Administrators; Advisory Organizations; Reinsurance Intermediary - Broker; Reinsurance Intermediary - Manager.
Authority: Self-Insurer WC Exposure; Surplus Lines Insurance Companies.
Approvals: Reinsurers for Self-Insured Programs.
Registration: Preferred Provider Organizations; Risk Purchasing Groups; Risk Retention Groups; Third-Party Prescription Programs; Employee Leasing; Managing

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General Agents; Multiple Employer Welfare Arrangements.

PUBLICATIONS:

Consumer Guide to Term Life Ins.; Consumer Guide to Universal Life Ins., 1990; Long Term Care, Nursing Home Care, and Home Health Care Comparison Chart, 1996; Medicare Supplement Ins. Comparison Chart, 1997; Consumer Guide to Car Ins., 1995; Consumer Guide to Homeowners Ins., 1997; Consumer Guide to Youthful Drivers, 1990; Consumer Guide to Cancellation or Nonrenewal Personal Automobile and Property Ins., 1990; What Can I do if I Lose My Group Health Ins.?, 1994; Consumer Guide to Avoiding Ins. Problems, 1990; Consumer Guide to Understanding Your Health Ins. Plan, 1990; Consumer Guide to Day Care Liability, 1995; Consumer Guide to Introduction to Ins., 1991; Consumer Guide to Mobile Home Ins., 1994; Consumer Guide to Snowmobile Ins., 1991; 1997 Guide to Health Ins. for People with Medicare; Consumer Guide to Individual Health Ins., 1996; What Maine Small Employers Should Know About Health Ins., 1996; Guide to Managed Care Health Ins., 1997; and A Guide to Viatical Settlements, 1997.

FINANCES, FISCAL YEAR 1997: The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS System

BUREAU OF INSURANCE	TOTAL		SPECIAL	HIGHWAY	FEDERAL	MISC.
	FOR	GENERAL				
EXPENDITURES	ALL	FUND	REVENUE	FUND	FUNDS	FUNDS
SALARIES & WAGES	2,454,919		2,454,919			
HEALTH BENEFITS	457,979		457,979			
RETIREMENTS	437,149		437,149			
OTHER FRINGE BENEFITS	32,434		32,434			
OTHER CONTRACT SERVICES STATE	867,042		867,042			
COMPUTER SERVICES STATE	201,252		201,252			
OTHER CONTRACT SERVICES	424,906		424,906			
RENTS	203,582		203,582			
COMMODITIES	31,694		31,694			
EQUIPMENT	4,053		4,053			
INTEREST-DEBT RETIREMENT	71		71			
TRANSFER TO OTHER FUNDS	40,132		40,132			
TOTAL EXPENDITURES	5,155,213		5,155,213			

BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS
CAROL LEIGHTON, ADMINISTRATOR

Central Office: GARDINER ANNEX, GARDINER, ME 04345 *TDD:* (207) 624-8563
Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333 *FAX:* (207) 624-8637
Established: 1967 *Telephone:* (207) 624-8603
Reference: Policy Area: 01 ; *Umbrella:* 02 *Unit:* 360 ; *Citation:* T0032 *M.R.S.A., Sect.* 0000013901

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

LICENSES:

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

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BOARD OF LICENSING OF AUCTIONEERS

CAROL LEIGHTON, ADMINISTRATOR

TDD: (207) 624-8563

Central Office: GARDINER ANNEX, GARDINER, ME 04345

Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333

Established: 1979

FAX: (207) 624-8637

Telephone: (207) 624-8603

Reference: Policy Area:01 ; Umbrella: 02 Unit: 302 ; Citation: T0032 M.R.S.A., Sect. 000000271

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

LICENSES:

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

OFFICE OF LICENSING AND REGISTRATION

ANNE HEAD, DIRECTOR

TDD: (207) 624-8563

Central Office: GARDINER ANNEX, GARDINER, ME 04345

Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333

Established: 1976

FAX: (207) 624-8637

Telephone: (207) 624-8633

Reference: Policy Area:01 ; Umbrella: 02 Unit: 041 ; Citation: T0010 M.R.S.A., Sect. 000008003
Average Count--All Positions: 58.000

PURPOSE:

The Office of Licensing and Registration exists for the purpose of assuring the competency of persons or entities subject to State licensure. Consequently, it is the point of origin for all other regulation conducted within the Department of Professional and Financial Regulation, as it is here that persons and businesses whose future conduct will be monitored first seek authorization to become practitioners of various professions, occupations and trades.

In those few instances where, subsequent to licensure, practitioners fail to maintain competency, as evidenced by complaints received from members of the public, our inspection of their work products or their noncompliance with continuing education requirements, it is further the responsibility of the Office of Licensing and Registration to rescind the authority it has granted.

ORGANIZATION:

The staff of the Office consists of 58 persons who are either administrators, inspectors or clerks, organized into operational units. Reporting to the Director are an administrative secretary, the Executive Director of the Manufactured Housing Board, the Director of the Real Estate Commission, an administrator for the Licensing Service Center, and three administrators who provide administrative assistance to the occupational boards and commissions under the jurisdiction of the Office.

PROGRAM:

Licensing: Pursuant to legislation enacted upon the recommendation of Maine's Productivity Realization Task Force, the Department of Professional and Financial Regulation was designated as the future cluster organization for licensure within State government, and the former "Division of Licensing and Enforcement" became the new "Office of Licensing and Registration" effective January 1, 1996. Since then, licensing operations for Insurance and Real Estate have been relocated from those areas of State government where they previously resided into the Office of Licensing and Registration. Effective October 1,

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1996, the Board of Boiler Rules and the Board of Elevator and Tramway Safety will be resituated as well.

As their respective processes have become assimilated, a standardized prototype has evolved, integrating the optimal elements of each to produce a more efficient and centralized mechanism. In order to accommodate this expansion, the Licensing Service Center was created, to serve as the nucleus for processing activity throughout the Office of Licensing and Registration.

Complaints: During FY 96-97, 456 new complaints were opened, 229 were dismissed, 14 were referred to the Office of the Attorney General, and 257 are pending resolution. Other cases were concluded in various disciplinary actions, including the imposition of fines and license suspensions and/or revocations by the boards of jurisdiction.

Internet Address: <http://www.state.me.us/pfr/led/ledhome2.htm>

LICENSES:

During FY 96-97, the Office of Licensing and Registration maintained 128,848 licenses(including active and inactive) for occupations ranging from Accountancy to Veterinary Medicine, which are subject to the authority of boards of jurisdiction, and 19,453 for professions relating to insurance.

Registration: During FY 96-97, the Office of Licensing and Registration maintained registrations for Athletic Trainers, Massage Therapists, Itinerant Vendors, Door-to-Door Home Repair, and Charitable Organizations/Professional Fund Raisers. The total registrations maintained during this period was 2,051.

PUBLICATIONS:

The Office of Licensing and Registration publishes a quarterly newsletter containing articles of general interest. In addition, several of the regulatory boards periodically issue their own newsletter to convey information specific to their areas of regulation.

Name-and-address lists of license holders are available to trade organizations and other interested parties for a nominal fee, and to other State governments agencies at no charge. These lists are obtainable in any one of the following three formats: in printed sheets; as mailing labels; or on computer diskettes.

FINANCES, FISCAL YEAR 1997: The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS System

OFFICE OF LICENSING AND REGISTRATION	TOTAL	SPECIAL				
	FOR ALL FUNDS	GENERAL FUND	REVENUE FUNDS	HIGHWAY FUND	FEDERAL FUNDS	MISC. FUNDS
EXPENDITURES						
SALARIES & WAGES	1,582,155		1,582,155			
HEALTH BENEFITS	341,425		341,425			
RETIREMENTS	258,049		258,049			
OTHER FRINGE BENEFITS	19,008		19,008			
OTHER CONTRACT SERVICES STATE	75,878		75,878			
COMPUTER SERVICES STATE	223,428		223,428			
OTHER CONTRACT SERVICES	473,983		473,983			
RENTS	225,735		225,735			
COMMODITIES	40,980		40,980			
EQUIPMENT	2,605		2,605			
INTEREST-DEBT RETIREMENT	9		9			
TRANSFER TO OTHER FUNDS	145,294		145,294			
TOTAL EXPENDITURES	3,388,549		3,388,549			

OFFICE OF LICENSING AND REGISTRATION
BOARDS/COMMISSIONS

Board of Accountancy Cheryl Hersom, Administrator	624-8605
Board of Alcohol and Drug Counselors Geraldine Betts, Administrator	624-8625
Arborist Examining Board Cheryl Hersom, Administrator	624-8605
Board of Licensure of Architects, Landscape Architects and Interior Designers Carol Leighton, Administrator	624-8520
Maine Athletic Commission Cheryl Hersom, Administrator	624-8605
Board of Licensing of Auctioneers Carol Leighton, Administrator	624-8520
Board of Barbering and Cosmetology Geraldine Betts, Administrator	624-8625
Board of Boiler Rules Cheryl Hersom, Administrator	624-8605
Board of Chiropractic Licensure Geraldine Betts, Administrator	624-8625
Board of Complementary Health Care Providers Geraldine Betts, Administrator	624-8625
Board of Counseling Professionals Licensure Elaine Thibodeau, Administrator	624-8420
Board of Licensure of Dietetic Practice Geraldine Betts, Administrator	624-8625
Electricians' Examining Board Cheryl Hersom, Administrator	624-8605
Board of Elevator and Tramway Safety Cheryl Hersom, Administrator	624-8605
Board of Licensure for Professional Foresters Carol Leighton, Administrator	624-8520
State Board of Funeral Service Elaine Thibodeau	624-8420

Board of Certification for Geologists and Soil Scientists Cheryl Hersom, Administrator	624-8605
Board of Hearing Aid Dealers and Fitters Elaine Thibodeau, Administrator	624-8420
Board of Licensure for Professional Land Surveyors Carol Leighton, Administrator	624-8520
Manufactured Housing Board Patrick Ouillette, Executive Director	230-0940
Nursing Home Administrators Licensing Board Elaine Thibodeau, Administrator	624-8420
Board of Occupational Therapy Practice Elaine Thibodeau, Administrator	624-8420
Oil and Solid Fuel Board Cheryl Hersom, Administrator	624-8605
Board of Pharmacy Geraldine Betts, Administrator	624-8625
Board of Examiners in Physical Therapy Geraldine Betts, Administrator	624-8625
Maine State Pilotage Commission Cheryl Hersom, Administrator	624-8605
Plumbers' Examining Board Cheryl Hersom, Administrator	624-8605
Board of Licensure of Podiatric Medicine Elaine Thibodeau, Administrator	624-8420
Propane and Natural Gas Board Cheryl Hersom, Administrator	624-8605
Board of Examiners of Psychologists Geraldine Betts, Administrator	624-8625
Radiologic Technology Board of Examiners Elaine Thibodeau, Administrator	624-8420
Board of Real Estate Appraisers Carol Leighton, Administrator	624-8520
Real Estate Commission Carol Leighton, Commission Director	624-8520

Board of Respiratory Care Practitioners Geraldine Betts, Administrator	624-8625
Board of Social Worker Licensure Elaine Thibodeau	624-8420
Board of Examiners on Speech Pathology and Audiology Elaine Thibodeau, Administrator	624-8420
Board of Veterinary Medicine Geraldine Betts, Administrator	624-8625

BOARD OF LICENSING OF DIETETIC PRACTICE

ELAINE THIBODEAU, ADMINISTRATOR

TDD: (207) 624-8563

Central Office: GARDINER ANNEX, GARDINER, ME 04345
Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333 FAX: (207) 624-8637
Established: 1985 Telephone: (207) 624-8603
Reference: Policy Area: 01 ; Umbrella: 02 Unit: 344 ; Citation: T0032 M.R.S.A., Sect. 000009903

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

LICENSES:

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

LIFE AGENT EXAMINATION ADVISORY BOARD

ALESANDRO A IUPPA, ACTING SUPERINTENDENT

Central Office: 124 NORTHERN AVENUE, GARDINER, ME 04345
Mail Address: 34 STATE HOUSE STATION, AUGUSTA, ME 04333 FAX: (207) 624-8599
Established: 1989 Telephone: (207) 624-8475
Reference: Policy Area: 01 ; Umbrella: 02 Unit: 034 ; Citation: T0024A M.R.S.A., Sect. 000001525

PURPOSE:

The purposes of the Life Agent Examination Advisory Board are to make recommendations to the superintendent with respect to the scope, type and conduct of written examinations for license.

ORGANIZATION:

The board consists of 5 members, to be appointed by the superintendent of the Bureau of Insurance for terms of 3 years each, on a staggered term system so as to prevent the terms of more than 2 members from expiring in any one year. No person shall be eligible for appointment to such a board unless that person is active on a full-time basis in the life insurance business, and is a resident of this State. No person may be reappointed to a board for more than one 3-year term. In appointing members to the life advisory board, the superintendent so far as practicable, must appoint persons with prior experiences in the education and training of life insurance agents or prospective agents; and so far as practicable, shall constitute the board to include at least one licensed agent and one representative of a domestic insurer.

The board may consult with the superintendent with respect to possible legislation or regulatory measures designed or intended to improve the quality and nature of the solicitation and servicing of life insurance by licensed life agents. The written reports of the board must be matters of public record, and available from the superintendent upon request.

Lastly, the members of the board serve without compensation, but with the superintendent's approval may be reimbursed for their reasonable travel expenses in attending any meeting called or approved by the superintendent.

PROGRAM:

During Fiscal Year 96-97, the Life Agent Examination Advisory Board met twice to review, update and develop examination questions. This Board remains on call as needed.

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LICENSES:

This Board issues no licenses itself, but participates in preparation of examinations used as a basis for licensing by the Bureau of Insurance.

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

MANUFACTURED HOUSING BOARD

PATRICK OUILLETTE, EXECUTIVE DIRECTOR

Central Office: GARDINER ANNEX, GARDINER, ME 04345 *TDD:* (207) 624-8563
Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333 *FAX:* (207) 624-8637
Established: 1977 *Telephone:* (207) 624-8603
Reference: Policy Area: 01 ; Umbrella: 02 Unit: 385 ; Citation: T0010 M.R.S.A., Sect. 000009003

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

PROGRAM:

LICENSES:

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

BOARD OF LICENSURE IN MEDICINE

**EDWARD DAVID, M.D., CHAIRMAN
RANDAL MANNING, EXECUTIVE DIRECTOR**

Central Office: 2 BANGOR STREET, AUGUSTA, ME 04330
Mail Address: 137 STATE HOUSE STATION, AUGUSTA, ME 04333-0137
Established: 1995 *Telephone:* (207) 287-3601
Reference: Policy Area: 01 ; Umbrella: 02 Unit: 373 ; Citation: T0032 M.R.S.A., Sect. 000003263
Average Count--All Positions: 8,000

PURPOSE:

The Board of Licensure in Medicine was established to safeguard the lives and health of the people of Maine through regulation of medical practice so as to maintain high professional standards and quality. To accomplish this the Board was charged to license, educate, monitor and discipline physicians, and to establish appropriate rules and standards for medical practice.

The responsibilities of the Board are to: LICENSE - determine the qualifications of, examine, and certify candidates desiring admission to medical practice in Maine; and biennially relicense physicians and surgeons to practice in Maine based upon documentation of continuing medical education requirements, professional conduct and standards, and payment of fees; to set standards of practice for physicians and surgeons and promulgate rules and regulations deemed

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necessary; EDUCATE - to conduct and operate medical education programs for physicians licensed in Maine; to conduct and operate programs for financial assistance to medical students; DISCIPLINE - to investigate complaints and allegations of non-compliance with the laws relating to physicians and surgeons and the rules and regulations adopted by the Board; and to hold hearings and take disciplinary action as required, in the form of probation, censure, fine, suspension or action in administrative court for revocation.

The Board is also charged to approve training programs for physician assistants; to determine the qualification of, certify, license, and biennially relicense physicians' assistants; and register relationships with supervising physicians. Physician Assistants must and Advanced Practice Registered Nurses may enter into a delegative relationship with a Maine physician allowing the physician to significantly extend his/her span of practice, making access to patient care more available and less costly. These relationships are registered with the Board.

ORGANIZATION:

As established in 1895, the Board of Registration of Physicians and Surgeons consisted of six physicians appointed by the Governor, with the consent of the Council, for terms of six years. The Board began licensure in January, 1896. Today members are appointed by the Governor only. In 1975, the Legislature increased the Board membership to seven by authorizing the appointment of a public member. In 1983 the Board was again enlarged by one physician and one public member to total nine. A third public member position was created by the Legislature effective 1991. Legislation in 1994 changed the name to the Board of Licensure in Medicine. Currently the Board is composed of seven physicians and three public members appointed by the Governor to six year staggered terms. The Board became an affiliate of the Department of Professional and Financial Regulation in 1991.

The Board meets in July of uneven-numbered years and elects a chairman and a secretary-treasurer. Regular meetings as required by law are held each March, July, and November. The Board may meet more often, and due to its increasingly heavy calendar held twelve meetings during the year, as it did in the previous year. Meetings are open to the public and are announced through newspapers and the "Weekly Legislative Calendar." Any person, may receive an agenda one week in advance of any meeting by making a telephone request to the Board office.

Physician appointees must be graduates of legally chartered colleges or universities which confer allopathic medicine degrees and have actively engaged in the licensed practice of medicine in Maine for at least five years preceding appointment. Public members or an immediate household member, may earn no income from activities related to the practice of medicine.

To aid in the formulation of rules and regulations governing physician assistants/physician extenders, the Board appointed a Physician Assistant Advisory Committee. Pursuant to PL 90 Chapter 931 as amended, the Board, jointly with the Board of Osteopathic Licensure empaneled Medical Specialty Advisory Committees in Anesthesiology, Emergency Medicine, Radiology, and Obstetrics/Gynecology to develop practice parameters and risk management protocols to guide physician specialists during the Medical Liability Demonstration Project. The Board participates in a Joint Conference Committee with the Maine Board of Nursing to exchange views regarding overlaps in the practice of nursing and medicine. The 1995 Legislature created the Advanced Practice Nursing Joint Advisory Council, on which the Board has a seat, to help guide the development of regulation and scope of practice of Advanced Practice Nurses who will practice independently.

PROGRAM:

LICENSURE: The Board uses the nationally recognized United States Medical Licensing Exam, a series of three exams to evaluate basic science, clinical knowledge, and practice skills. In addition a comprehensive oral examination is conducted with every applicant before permanent licensure. During the past year the following licenses were issued:

Permanent Licensures	261
Intern/Resident Certificate	197
Camp physician	53
Temporary/Locum Tenens	143
In July 1997 renewed licenses totaled:	4,730
Active Practice	3,544

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Inactive Practice (elsewhere)	1,186	
Certified Physician Assistants Licensed		304
Certified Advanced Practice Nurses Registered		272

COMPLAINTS, INVESTIGATIONS, AND DISCIPLINE: The Board receives allegations of misconduct or improper practice from the public, hospital governing bodies, the profession, other state and national agencies, and law enforcement agencies.

If grounds for discipline are found by the Board, it may file a complaint in the Maine Administrative Court seeking revocation or suspension of license. For less serious offenses the Board, on its own motion, issues letters of warning, censure and reprimand, imposes fines, orders license suspension up to 90 days in situations of eminent danger to the public. Actions are reported to the National Practitioner Databank. During the past year the Board received 147 new complaints and carried 244 forward from previous years. Of these:

Disciplinary sanctions imposed	19
Dismissed for lack of merit or insufficient grounds	107
Remaining under investigation or pending final action	246

MEDICAL LIABILITY DEMONSTRATION PROJECT: This project, which will run through December 1999, will attempt to measure whether medical practice in accordance with authorized practice parameters and risk management protocols will decrease the practice of defensive medicine, lower costs, and enhance the quality of medical care in these specialties. National interest in this project has developed and the Board continues to be in contact with health researchers and policy analysts throughout the country who are interested in monitoring and evaluating the effects of this project. Protocols have been established for Anesthesiology, Emergency Medicine, Obstetrics/Gynecology, and Radiology specialties.

LICENSES:

License to Practice Medicine and Surgery
Certificate of Registration
License to Practice Medicine and Surgery as a Camp Physician
License to Practice Medicine and Surgery as Locum Tenens
Temporary License to Practice Medicine and Surgery
Temporary Educational Permit
Physician Assistant Preliminary License
Physician/Physician Extender Certificate of Registration

PUBLICATIONS:

"What You Should Know about the Licensing, Regulation, and Discipline of Physicians in Maine"

(Free) Brochure co-produced with Maine Board of Osteopathic Licensure explaining to the public the authority and procedures of the two Boards in regulating the practice of medicine by physicians and explaining how to make a complaint.

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FINANCES, FISCAL YEAR 1997: The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS System

BOARD OF LICENSURE IN MEDICINE	TOTAL FOR					
	ALL FUNDS	GENERAL FUND	SPECIAL REVENUE FUNDS	HIGHWAY FUND	FEDERAL FUNDS	MISC. FUNDS
EXPENDITURES						
SALARIES & WAGES	296,438		296,438			
HEALTH BENEFITS	51,920		51,920			
RETIREMENTS	50,518		50,518			
OTHER FRINGE BENEFITS	3,946		3,946			
OTHER CONTRACT SERVICES STATE	32,426		32,426			
COMPUTER SERVICES STATE	88,559		88,559			
OTHER CONTRACT SERVICES	82,517		82,517			
RENTS	58,145		58,145			
COMMODITIES	9,678		9,678			
GRANTS, SUBSIDIES, PENSIONS	55,168		55,168			
TRANSFER TO OTHER FUNDS	21,355		21,355			
TOTAL EXPENDITURES	750,670		750,670			

MEDICAL SPECIALTY ADVISORY COMMITTEE ON ANESTHESIOLOGY

RICHARD M. M. FLOWERDEW, M.D., CHAIRMAN

Central Office: 2 BANGOR STREET, AUGUSTA, ME 04330
 Mail Address: 137 STATE HOUSE STATION, AUGUSTA, ME 04333-0137
 Established: 1990 Telephone: (207) 287-3603
 Reference: Policy Area: 01 ; Umbrella: 02 Unit: 543 ; Citation: T0024 M.R.S.A., Sect. 000002972

PURPOSE: Pursuant to PL 1990 Ch. 931 as amended, on January 1, 1992 the Board of Licensure in Medicine and Board of Osteopathic Licensure jointly announced the opening of a Medical Liability Demonstration Project in the medical specialties of Anesthesiology, Emergency Medicine, Obstetrics and Gynecology, and Diagnostic Radiology. Four hundred one of four hundred twenty-four physicians practicing in Maine in these four specialties applied to participate in this innovative project which was originally scheduled to extend until December 31, 1996. Neither project administration nor performance analysis were funded by the Legislature. The 1995 Legislature extended the project until 1999.

PROGRAM: The project will attempt to measure whether medical practice in accordance practice parameters and risk management protocols, as adopted by the two physician licensing Boards, will decrease the cost of the practice of defensive medicine and enhance the quality of care. National interest in this project has developed and the Board continues to be in contact with health researchers and policy analysts throughout the country who are interested in monitoring and evaluating the effects of this project. Early data has been insufficient to be predictive, hence the project extension to general a larger study database.

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

**MEDICAL SPECIALTY ADVISORY COMMITTEE ON EMERGENCY
MEDICINE**

PAMELA BENSEN, M.D. & RICHARD CHANDLER, M.D., COCHAIRMEN

Central Office: 2 BANGOR STREET, AUGUSTA, ME 04330

Mail Address: 137 STATE HOUSE STATION, AUGUSTA, ME 04333-0137

Established: 1990

Telephone: (207) 287-3603

Reference: Policy Area: 01 ; *Umbrella:* 02 *Unit:* 544 ; *Citation:* T0024 *M.R.S.A., Sect.* 000002972

PURPOSE:

Pursuant to PL 1990 Ch. 931 as amended, on January 1, 1992 the Board of Licensure in Medicine and Board of Osteopathic Licensure jointly announced the opening of a Medical Liability Demonstration Project in the medical specialties of Anesthesiology, Emergency Medicine, Obstetrics and Gynecology, and Diagnostic Radiology. Four hundred one of four hundred twenty-four physicians practicing in Maine in these four specialties applied to participate in this innovative project which was originally scheduled to extend until December 31, 1996. Neither project administration nor performance analysis were funded by the Legislature. The 1995 Legislature extended the project until 1999.

PROGRAM:

The project will attempt to measure whether medical practice in accordance practice parameters and risk management protocols as adopted by the two physician licensing Boards, will decrease the cost of the practice of defensive medicine and enhance the quality of care. National interest in this project has developed and the Board continues to be in contact with health researchers and policy analysts throughout the country who are interested in monitoring and evaluating the effects of this project. Early data has been insufficient to be predictive, hence the project extension to generate a larger study database.

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

**MEDICAL SPECIALTY ADVISORY COMMITTEE ON OBSTETRICS
AND GYNECOLOGY**

JOHN MAKIN, M.D., CHAIRMAN

Central Office: 2 BANGOR STREET, AUGUSTA, ME 04330

Mail Address: 137 STATE HOUSE STATION, AUGUSTA, ME 04333-0137

Established: 1990

Telephone: (207) 287-3603

Reference: Policy Area: 01 ; *Umbrella:* 02 *Unit:* 545 ; *Citation:* T0024 *M.R.S.A., Sect.* 000002972

PURPOSE:

Pursuant to PL 1990 Ch. 931 as amended, on January 1, 1992 the Board of Licensure in Medicine and Board of Osteopathic Licensure jointly announced the opening of a Medical Liability Demonstration Project in the medical specialties of Anesthesiology, Emergency Medicine, Obstetrics and Gynecology, and Diagnostic Radiology. Four hundred one of four hundred twenty-four physicians practicing in Maine in these four specialties applied to participate in this innovative project which was originally scheduled to extend until December 31, 1996. Neither project administration nor performance analysis were funded by the Legislature. The 1995 Legislature extended the project until 1999.

PROGRAM:

The project will attempt to measure whether medical practice in accordance practice parameters and risk management protocols, as adopted by the two physician licensing Boards, will decrease the cost of the practice of defensive medicine and enhance the quality of care. National interest in this project has developed and the Board continues to be in contact with health researchers and policy analysts throughout the country who are interested in monitoring and evaluating the effects of this project. Early data has been insufficient to be predictive, hence the project extension to generate a larger study database.

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

STATE BOARD OF NURSING

JEAN C CARON, EXEC DIR BD OF NURSING

Central Office: 24 STONE STREET, AUGUSTA, ME 04330

Mail Address: 158 STATE HOUSE STATION, AUGUSTA, ME 04333

Established: 1915

Telephone: (207) 287-1133

Reference: Policy Area: 01 ; Umbrella: 02 Unit: 380 ; Citation: T0032 M.R.S.A., Sect. 000002151

Average Count--All Positions: 7,000

PURPOSE:

The State Board of Nursing was established to protect the public through regulation of nursing practice in the State of Maine so as to maintain high professional standards. The primary responsibilities of the Board, by law, are to license, by examination or endorsement, all applicants qualified to practice as registered nurses or as licensed practical nurses; to renew the licenses of all qualified registered nurses and practical nurses; to investigate complaints of unsafe nursing practice or any violation of laws relating to nursing; and determine, in collaboration with the Attorney General, if the case should be presented for a formal hearing by the Administrative Court; to adopt rules and regulations governing licensure of nurses and other matters within its jurisdiction; to approve programs of training that prepare certified nursing assistants to perform selected nursing services when such services are delegated by a registered nurse.

Additional responsibilities of the Board are to prescribe curricula and establish standards for educational programs preparing persons for licensure as registered nurses or as licensed practical nurses; to approve nursing educational programs in the State as meet the requirements of law and the standards established by the Board; to survey all such nursing educational programs as deemed necessary to determine that the requirements of the law and the Board standards are being maintained; to deny or withdraw approval from such nursing educational programs for failure to meet requirements; and to approve the credentials of registered nurses who have completed an educational program that prepares the registered nurse to function as an advanced practice registered nurse. An advanced practice registered nurse includes the following: certified nurse practitioner, certified nurse-midwife, certified registered nurse anesthetist and certified nurse specialist.

ORGANIZATION:

The State Board of Nursing was originally created as the Board of Examination and Registration of Nurses in 1915 and received its present name in 1959. From 1947 until 1961, the Board's office was located in Lewiston. In 1961, the office was moved to Portland, and in 1973, it was relocated to Augusta.

In 1991, the Board of Nursing was affiliated with the Department of Professional and Financial Regulation.

In 1995, an advanced practice registered professional nurse was added to the Board of Nursing, which changed the composition of the Board as follows: six registered professional nurses, one licensed practical nurse, and two representatives of the public. All members are appointed by the Governor for terms of four years. The Board annually elects from its membership a Chairperson and a secretary. Also, the Board appoints and employs an executive director, assistant executive director, and other qualified persons, not members of the Board.

PROGRAM:

During the fiscal year 1996-97, the Board met in seven regular sessions for a total of twelve days. In addition, Board members participated in committee meetings; served as visitors on site visits to educational programs in nursing; served on committees of the National Council of State Boards of Nursing; and represented the Board at conferences or meetings with individuals or groups on matters pertinent to Board business. A major responsibility of the Board of Nursing is the licensure of practitioners of nursing. The law provides that licensure as a registered nurse or as a licensed practical nurse in this State

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may be obtained by examination or endorsement of a license legally issued by the licensing authority of another state or country. Every license must be renewed biennially if the licensee is practicing nursing in Maine.

A second major responsibility of the Board of Nursing is approval of all basic nursing programs that prepare persons for licensure in Maine, either as registered nurses or as licensed practical nurses. Maine has 20 Board-approved nursing programs: fifteen to prepare registered nurses and five to prepare practical nurses. The names of these programs follow: Baccalaureate degree nursing programs: Univ. of Southern Maine; St. Joseph's College; Husson College/E.M.M.C.; Westbrook College Campus of the Univ. of New Eng.; Univ. of Me.; Univ. of Me. at Fort Kent. Associate degree nursing programs include Central Maine Medical Center; Univ. of Me. at Augusta; Kennebec Valley Tech Coll.; Univ. Campus of the Univ. of New England; Northern Me. Tech. College; Central Me. Tech. College; Eastern Me. Tech College; and Southern Me. Tech College. In addition, the Univ. of Southern Me. has a generic Masters in Nursing Program for Non-nurses. Practical nursing programs are offered at the technical colleges.

A third responsibility of the Board of Nursing is to impose sanctions on licensees who violate the law thru the exercise of its legal, investigative and disciplinary program. During fiscal year 1996-97, the Board received 100 provider reports or complaints of illegal or unsafe nursing practice. The Board took the following actions in FY 96-97: terminated probation (2); took no action/dismissed complaint (72); warned, censured, reprimanded or fined (11); placed license on probation (5); reinstated/renewed license on probation (3); fined for unlicensed practice (122); accepted voluntary surrender of license (10); and suspended license (2).

LICENSES:

Registered Professional Nurse
 Licensed Practical Nurse

PUBLICATIONS:

Law Regulating the Practice of Nursing (free to Maine citizens)
 Rules and Regulations of the Maine State Board of Nursing (free to Maine citizens)
 Prescribed Curriculum for Nursing Assistant Training Programs (\$10.00)
 Standardized Medication Course for Certified Nursing Assitants (\$5.00)

FINANCES, FISCAL YEAR 1997: The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS System

STATE BOARD OF NURSING	TOTAL	SPECIAL				
	FOR ALL FUNDS	GENERAL FUND	REVENUE FUNDS	HIGHWAY FUND	FEDERAL FUNDS	MISC. FUNDS
EXPENDITURES						
SALARIES & WAGES	207,428		207,428			
HEALTH BENEFITS	39,361		39,361			
RETIREMENTS	37,274		37,274			
OTHER FRINGE BENEFITS	3,367		3,367			
OTHER CONTRACT SERVICES STATE	995		995			
COMPUTER SERVICES STATE	48,599		48,599			
OTHER CONTRACT SERVICES	90,836		90,836			
RENTS	23,254		23,254			
COMMODITIES	1,881		1,881			
EQUIPMENT	38,636		38,636			
TRANSFER TO OTHER FUNDS	3,366		3,366			
TOTAL EXPENDITURES	494,997		494,997			

EXAMINATION FOR REGISTERED NURSE LICENSURE

July 1, 1996 - June 30, 1997

First Time Writers	Pass	Fail	Repeat Writers	Pass	Fail	Total Licensed
447	383	64	135	62	73	445

EXAMINATION FOR PRACTICAL NURSE LICENSURE

July 1, 1996 - June 30, 1997

First Time Writers	Pass	Fail	Repeat Writers	Pass	Fail	Total Licensed
21	20	1	1	0	1	20

NURSES LICENSED BY ENDORSEMENT

REGISTERED AND PRACTICAL NURSES LICENSED IN MAINE

July 1, 1996 - June 30, 1997

Registered Nurses		Licensed Practical Nurses	
from other states	583	from other states	83
from other countries:		from other countries:	
with examination	3	with examination	0
without examination	210	without examination	0
Total	796	Total	83

	Registered Nurses	Practical Nurses
Licensed by:		
examination	518	20
endorsement	796	83
renewal	7239	1635
reinstatement	276	111
Total	8829	1849

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

NURSING HOME ADMINISTRATORS LICENSING BOARD

ELAINE THIBODEAU, ADMINISTRATOR

Central Office: GARDINER ANNEX, GARDINER, ME 04345 *TDD:* (207) 624-8563
Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333 *FAX:* (207) 624-8637
Established: 1973 *Telephone:* (207) 624-8603
Reference: Policy Area: 01 ; *Umbrella:* 02 ; *Unit:* 371 ; *Citation:* T0032 *M.R.S.A., Sect.* 00000063A

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

LICENSES:

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

BOARD OF OCCUPATIONAL THERAPY PRACTICE

ELAINE THIBODEAU, ADMINISTRATOR

Central Office: GARDINER ANNEX, GARDINER, ME 04345 *TDD:* (207) 624-8563
Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333 *FAX:* (207) 624-8637
Established: 1984 *Telephone:* (207) 624-8603
Reference: Policy Area: 01 ; *Umbrella:* 02 ; *Unit:* 477 ; *Citation:* T0032 *M.R.S.A., Sect.* 000002271

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

LICENSES:

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

OIL AND SOLID FUEL BOARD

CHERYL HERSOM, ADMINISTRATOR

Central Office: GARDINER ANNEX, GARDINER, ME 04345 *TDD:* (207) 624-8563
Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333 *FAX:* (207) 624-8637
Established: 1955 *Telephone:* (207) 624-8603
Reference: Policy Area: 01 ; *Umbrella:* 02 ; *Unit:* 381 ; *Citation:* T0032 *M.R.S.A., Sect.* 000002351

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

LICENSES:

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

STATE BOARD OF OPTOMETRY

WILLIAM P. BEEAKER, O.D., PRESIDENT

Central Office: 24 STONE STREET, AUGUSTA, ME 04333

Mail Address: 113 STATE HOUSE STATION, AUGUSTA, ME 04333

Established: 1909

Telephone: (207) 287-2535

Reference: Policy Area:01 ; Umbrella: 02 Unit: 382 ; Citation: T0032 M.R.S.A., Sect. 000002415

PURPOSE:

The State Board of Optometry was established to protect the public through the regulation of the practice of optometry in the State of Maine so as to maintain high professional standards. The primary responsibilities of the Board are to examine and license qualified applicants to practice the profession of optometry and to hold the title of Licensed Optometrist in the State of Maine, upon payment of specified fees; to renew all licenses annually upon payment of a specified fee and presentation of evidence that the applicant has attended an educational program approved by the Board; and to revoke, refuse or suspend any license for violation of the laws relating to optometry.

The Board investigates all complaints and cases of non-compliance with optometrist laws, rules and regulations, conducts hearings, and brings all such cases to the notice of the proper prosecuting officer. It also enforces standards established by law and makes such other reasonable rules and regulations, consistent with the law, as the Board deems necessary.

ORGANIZATION:

The State Board of Optometry was established in 1909 as the State Board of Registration and Examination in Optometry and received its present name in October 1973. The Board consists of six members, appointed by the Governor for terms of five years. Five of the members must be resident optometrists engaged in actual practice for a period of at least five years prior to their appointment. The sixth member must be a consumer member having no pecuniary interest in optometry or optical products. The Board annually elects a president and secretary-treasurer from its members.

PROGRAM:

The Maine Board of Optometry held five meetings in FY 97. Two new members were appointed by the Governor to serve on the Board; one optometrist and one public member.

The Board held exams for licensure in August 1996 and February 1997. Thirteen optometrists took the exam in August; nine passed and four failed. Two optometrists took the February exam; one passed, one failed.

During 1997, the Board issued 176 active licenses and 12 non-active licenses for a total of 188 licenses.

All Maine optometrists must complete 25 hours of approved continuing education in 1997 in order to renew their license in 1998.

LICENSES:

The Board now issues five different licenses: Basic, Diagnostic, Therapeutic Advanced, and Therapeutic Advanced Glaucoma.

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

PUBLICATIONS:

"The Maine Optometry Law" - free upon request
 "Rules of Practice" - free upon request

FINANCES, FISCAL YEAR 1997: The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS System

STATE BOARD OF OPTOMETRY	TOTAL		SPECIAL			
	FOR ALL FUNDS	GENERAL FUND	REVENUE FUNDS	HIGHWAY FUND	FEDERAL FUNDS	MISC. FUNDS
EXPENDITURES						
SALARIES & WAGES	1,200		1,200			
OTHER CONTRACT SERVICES STATE	9,600		9,600			
COMPUTER SERVICES STATE	146		146			
OTHER CONTRACT SERVICES	7,866		7,866			
RENTS	4,047		4,047			
COMMODITIES	671		671			
TRANSFER TO OTHER FUNDS	822		822			
TOTAL EXPENDITURES	24,352		24,352			

BOARD OF OSTEOPATHIC LICENSURE

CHARLES PERNICE D.O., SEC TREAS

Central Office: 2 BANGOR STREET, AUGUSTA, ME 04330
Mail Address: 142 STATE HOUSE STATION, AUGUSTA, ME 04333-0142
Established: 1916 *Telephone:* (207) 287-2480
Reference: Policy Area: 01 ; Umbrella: 02 Unit: 383 ; Citation: T0032 M.R.S.A., Sect. 000002561
Average Count--All Positions: 1.000

PURPOSE:

The Board of Osteopathic Licensure was established to protect the public through regulation of the practice of osteopathic medicine by maintaining high professional standards. Its primary responsibilities are to examine, certify and register qualified applicants for a certificate to practice osteopathic medicine in Maine. Upon payment of specified fees, the Board can issue, renew, withhold, suspend or seek revocation of all licenses. Furthermore, the Board has the power to make rules it considers necessary for the successful enforcement of its authority and the performance of its duties. As part of the biennial relicensure process, the Board shall prepare and distribute its rules relative to continuing medical education and its code of ethics to each licensed osteopathic physician practicing in Maine.

ORGANIZATION:

The Board of Osteopathic Licensure, when it was established in 1919, consisted of five members appointed by the Governor with the advice of the Council, for terms of five years. In 1976, the Legislature increased the Board to six members, all to be appointed by the Governor. Currently, the Board consists of 9 members appointed by the Governor. Six of these members must be graduates of a legally chartered college of osteopathic medicine and must be, at the time of appointment, actively engaged in the practice of the profession of osteopathic medicine in the State for a period of at least 5 years, and 3 of these members must be public members. Board meetings are held monthly. A chairman and secretary-treasurer, elected annually, are chosen by and from the members of the Board.

PROGRAM:

Revision of statutes relating to the Board of Osteopathic Licensure in 1973 specified an increase in the registration fee from four to twenty-five dollars per year voted in the June, 1982 meeting to become effective January, 1983. The Board, at its meeting on July 8, 1987, made plans for increasing the registration fee to increase the revenue to meet increased expenses. Revised

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statutes also specify one annual meeting instead of the two meetings as required previously, with special meetings authorized as called by the Chairman of the Board. Relicensure fees have been increased to \$400 biennially.

Continuing medical education requirements have been increased to 100 hours biennially. The Board insists that at least forty percent of the credit hours must be osteopathic medical education approved in the rules established by the Board. Each licensee must furnish to the Board satisfactory evidence of attendance in the 2 preceding years at education programs sponsored by recognized associations, colleges or universities, hospitals, institutes or groups approved by the Board. This provides the public with the assurance that osteopathic physicians keep current with advances in osteopathic medicine as well as medicine at large.

Election of officers at the June meeting at the Board office in Augusta, Maine: Louis A. Hanson, D.O., Chair; Joseph R.D. deKay, D.O., Vice-Chair; Charles Pernice, D.O., Secretary for 19976-1998.

LICENSES:

- License to Practice Osteopathic Medicine
- License to Practice Osteopathic Medicine as Locum Tenens/Camp Physician
- Temporary Educational Permits
- Certificate of Registration/Certificate of Qualification

PUBLICATIONS:

List of licensed osteopathic physicians in Maine - \$20.00
 Rules and Regulations governing Physician's Assistants/Extenders - \$10.00
 A pamphlet entitled "What You Should Know About...", which was co-produced with the Board of Licensure in Medicine, is available at no cost. The Pamphlet explains to members of the public the procedures of and authority of both Boards in regulating the professions. It also explains the procedure for filing a complaint against a physician.

FINANCES, FISCAL YEAR 1997: The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS System

BOARD OF OSTEOPATHIC LICENSURE	TOTAL		SPECIAL	HIGHWAY	FEDERAL	MISC.
	FOR	GENERAL				
	ALL	FUND	REVENUE	FUND	FUNDS	FUNDS
	FUNDS		FUNDS			
EXPENDITURES						
SALARIES & WAGES	29,077		29,077			
HEALTH BENEFITS	1,682		1,682			
RETIREMENTS	3,956		3,956			
OTHER FRINGE BENEFITS	319		319			
OTHER CONTRACT SERVICES STATE	26,987		26,987			
COMPUTER SERVICES STATE	35,638		35,638			
OTHER CONTRACT SERVICES	22,760		22,760			
RENTS	5,963		5,963			
COMMODITIES	881		881			
TRANSFER TO OTHER FUNDS	2,882		2,882			
TOTAL EXPENDITURES	130,145		130,145			

MAINE BOARD OF PHARMACY
GERALDINE L. BETTS, ADMINISTRATOR

TDD: (207) 624-8563

Central Office: GARDINER ANNEX, GARDINER, ME 04345
Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333 *FAX:* (207) 624-8637
Established: 1877 *Telephone:* (207) 624-8603
Reference: Policy Area: 01 ; Umbrella: 02 Unit: 392 ; Citation: T0032 *M.R.S.A., Sect.* 000013711

ORGANIZATION:
 All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

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LICENSES:

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

BOARD OF EXAMINERS IN PHYSICAL THERAPY

GERALDINE BETTS, ADMINISTRATOR

Central Office: GARDINER ANNEX, GARDINER, ME 04345 TDD: (207) 624-8563
Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333 FAX: (207) 624-8637
Established: 1955 Telephone: (207) 624-8603
Reference: Policy Area: 01 ; Umbrella: 02 ; Unit: 393 ; Citation: T0032 M.R.S.A., Sect. 000003112

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

LICENSES:

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

MAINE STATE PILOTAGE COMMISSION

CHERYL HERSOM, ADMINISTRATOR

Central Office: GARDINER ANNEX, GARDINER, ME 04345 TDD: (207) 624-8563
Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333 FAX: (207) 624-8637
Established: 1969 Telephone: (207) 624-8603
Reference: Policy Area: 01 ; Umbrella: 02 ; Unit: 387 ; Citation: T0038 M.R.S.A., Sect. 000000089

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

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PLUMBERS' EXAMINING BOARD

CHERYL HERSOM, ADMINISTRATOR

Central Office: GARDINER ANNEX, GARDINER, ME 04345 *TDD:* (207) 624-8563
Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333 *FAX:* (207) 624-8637
Established: 1937 *Telephone:* (207) 624-8603
Reference: Policy Area: 01 ; *Umbrella:* 02 ; *Unit:* 395 ; *Citation:* T0032 *M.R.S.A., Sect.* 000003401

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

LICENSES:

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

BOARD OF LICENSURE OF PODIATRIC MEDICINE

ELAINE THIBODEAU, ADMINISTRATOR

Central Office: GARDINER ANNEX, GARDINER, ME 04345 *TDD:* (207) 624-8563
Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333 *FAX:* (207) 624-8637
Established: 1933 *Telephone:* (207) 624-8603
Reference: Policy Area: 01 ; *Umbrella:* 02 ; *Unit:* 396 ; *Citation:* T0032 *M.R.S.A., Sect.* 000003601

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

PROPANE AND NATURAL GAS BOARD

CHERYL HERSOM, ADMINISTRATOR

Central Office: GARDINER ANNEX, GARDINER, ME 04345 *WATS:* (000) 000-0000
Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333 *TDD:* (207) 624-8563
Established: 1995 *FAX:* (207) 624-8637
Reference: Policy Area: 01 ; *Umbrella:* 02 ; *Unit:* 582 ; *Citation:* T0032 *Telephone:* (207) 624-8603
M.R.S.A., Sect. 000014803

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration.

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FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS

GERALDINE L. BETTS, ADMINISTRATOR

TDD: (207) 624-8563

Central Office: GARDINER ANNEX, GARDINER, ME 04345

Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333

Established: 1968

Reference: Policy Area: 01 ; Umbrella: 02 Unit: 415 ; Citation: T0032 M.R.S.A., Sect. 000003821

FAX: (207) 624-8637

Telephone: (207) 624-8603

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

LICENSES:

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

RADIOLOGIC TECHNOLOGY BOARD OF EXAMINERS

ELAINE THIBODEAU, ADMINISTRATOR

TDD: (207) 624-8563

Central Office: GARDINER ANNEX, GARDINER, ME 04345

Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333

Established: 1983

Reference: Policy Area: 01 ; Umbrella: 02 Unit: 465 ; Citation: T0032 M.R.S.A., Sect. 000009854

FAX: (207) 624-8637

Telephone: (207) 624-8603

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

LICENSES:

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

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REAL ESTATE COMMISSION

CAROL LEIGHTON, DIR., REAL ESTATE COMM.

WATS: (000) 000-0000
TDD: (207) 624-8563

Central Office: GARDINER ANNEX, GARDINER, ME 04345
Mail Address: STATEHOUSE STA# 35, AUGUSTA, ME 04333
Established: 1937
Reference: Policy Area: 01 ; Umbrella: 02 ; Unit: 039 ; Citation: T0032

FAX: (207) 624-8603
Telephone: (207) 624-8520
M.R.S.A., Sect. 000013062

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

FINANCES, FISCAL YEAR 1997: The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS System

REAL ESTATE COMMISSION	TOTAL FOR ALL FUNDS	GENERAL FUND	SPECIAL REVENUE FUNDS	HIGHWAY FUND	FEDERAL FUNDS	MISC. FUNDS
EXPENDITURES						
TRANSFER TO OTHER FUNDS	-25		-25			
TOTAL EXPENDITURES	-25		-25			

BOARD OF REAL ESTATE APPRAISERS

CAROL LEIGHTON, ADMINISTRATOR

TDD: (207) 624-8563

Central Office: GARDINER ANNEX, GARDINER, ME 04345
Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333
Established: 1990
Reference: Policy Area: 01 ; Umbrella: 02 ; Unit: 298 ; Citation: T0032

FAX: (207) 624-8637
Telephone: (207) 624-8603
M.R.S.A., Sect. 000013967

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

LICENSES:

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

BOARD OF RESPIRATORY CARE PRACTITIONERS

GERALDINE BETTS, ADMINISTRATOR

TDD: (207) 624-8563

Central Office: GARDINER ANNEX, GARDINER, ME 04345
Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333
Established: 1985
Reference: Policy Area: 01 ; Umbrella: 02 ; Unit: 343 ; Citation: T0032

FAX: (207) 624-8637
Telephone: (207) 624-8603
M.R.S.A., Sect. 000009703

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ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

LICENSES:

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

MEDICAL SPECIALTY ADVISORY COMMITTEE ON RADIOLOGY

NEIL NEWTON, M.D., CHAIRMAN

Central Office: 2 BANGOR STREET, AUGUSTA, ME 04330

Mail Address: 137 STATE HOUSE STATION, AUGUSTA, ME 04333-0137

Established: 1990

Telephone: (207) 287-3603

Reference: Policy Area: 01 ; Umbrella: 02 Unit: 547 ; Citation: T0024 M.R.S.A., Sect. 000002972

PURPOSE:

Pursuant to PL 1990 Ch. 931 as amended, on January 1, 1992 the Board of Licensure in Medicine and Board of Osteopathic Licensure jointly announced the opening of a Medical Liability Demonstration Project in the medical specialties of Anesthesiology, Emergency Medicine, Obstetrics and Gynecology, and Diagnostic Radiology. Four hundred one of four hundred twenty-four physicians practicing in Maine in these four specialties applied to participate in this innovative project which was originally scheduled to extend until December 31, 1996. Neither project administration nor performance analysis were funded by the Legislature. The 1995 Legislature extended the project until 1999.

PROGRAM:

The project will attempt to measure whether medical practice in accordance practice parameters and risk management protocols, as adopted by the two physician licensing Boards, will decrease the cost of the practice of defensive medicine and enhance the quality of care. National interest in this project has developed and the Board continues to be in contact with health researchers and policy analysts throughout the country who are interested in monitoring and evaluating the effects of this project. Early data has been insufficient to be predictive, hence the project extension to generate a larger study database.

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

SECURITIES DIVISION

CHRISTINE A. BRUENN, SECURITIES ADMINISTRATOR

TDD: (207) 624-8563

Central Office: GARDINER ANNEX, NORTHERN AVE, GARDINER, ME 04345

Mail Address: 121 STATEHOUSE STATION, AUGUSTA, ME 04333-0121 *FAX:* (207) 624-8590

Established:

Telephone: (207) 624-8551

Reference: Policy Area: 01 ; Umbrella: 02 Unit: 032 ; Citation: T0009B M.R.S.A., Sect. 000000212A

PURPOSE:

The principal mission of the Securities Division is to protect Maine investors, and toward that end, the Division administers and enforces the Revised Maine Securities Act; reviews applications to register securities for

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

sale in Maine; reviews filings for exemptions from registration; licenses broker-dealers, sales representatives, and investment advisers doing business in Maine; suspends or revokes such licenses for misconduct, as defined in the Securities Act; responds to consumer complaints; investigates possible violations of the securities laws, and when warranted by the circumstances, issues cease and desist and other administrative orders or refers matters to the Attorney General for civil or criminal action. The Division also enforces the Business Opportunity Law and the State Commodity Code.

ORGANIZATION:

In 1913, two years after Kansas adopted the first "blue sky" law, Maine enacted a statute relating to "Dealers in Securities," to be administered by the Bank Commissioner. Over the years, that law was the subject of numerous changes, including the creation of a securities division, the establishment of a requirement for the registration of securities offerings, and the addition of antifraud and civil liability provisions. In 1985, Maine replaced its existing securities laws with the Revised Maine Securities Act, which was based on a draft of the Revised Uniform Securities Act. The next year legislation was passed giving the Securities Division enforcement powers over the sale of certain types of business opportunities and commodity contracts. In 1989, the Legislature transferred from the Bank Superintendent to the Securities Administrator the responsibility for administering and enforcing the securities laws, while keeping the Division a part of the Bureau of Banking.

PROGRAM:

In fiscal year 1997, the Division received and processed 9736 applications to register securities or notice filings for federally covered securities (increase of 16% over fiscal year 1996), 265 private placement filings (increase of 21%), 100 exemption filings for offerings to existing security holders, 14 filings relying on the small Maine issuer exemptions (no change), and 2 Small Corporate Offering Registration "SCOR" filings. As of the end of the fiscal year, there were 1016 broker-dealers licensed to do business in Maine (increase of 9%), 36,535 licensed sales representatives (increase of 17%), and 437 licensed investment advisers (increase of 9%). In connection with the Division's review of licensing applications, 365 sales representative applications, 55 broker-dealer applications, and four investment adviser applications were withdrawn as a result of questions or objections raised by the Division.

Through its enforcement actions, the Division obtained \$65,303.65 in restitution and \$5,250 in penalties. Through the Attorney General, the Division continued a major lawsuit involving the widespread sale in Maine of unregistered securities.

Internet Address: <http://www.state.me.us/pfr/sec/sechome2.htm>

LICENSES:

Broker-Dealer; Sales Representative; Investment Adviser

PUBLICATIONS:

Revised Maine Securities Act; Guide to Mutual Fund Investing; So You Want to Go Public?; Capitalizing Your Business With SCOR; Investor's Guide to Reading the Mutual Fund Prospectus (by Investment Company Institute); What Every Investor Needs to Know (video, also); (All Free). Calling For Your Dollars (free video rentals).

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

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STATE BOARD OF SOCIAL WORKER LICENSURE

ELAINE THIBODEAU, ADMINISTRATOR

Central Office: GARDINER ANNEX, GARDINER, ME 04345 *TDD:* (207) 624-8563
Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333 *FAX:* (207) 624-8637
Established: 1967 *Telephone:* (207) 624-8603
Reference: Policy Area: 01 ; *Umbrella:* 02 *Unit:* 416 ; *Citation:* T0032 *M.R.S.A., Sect.* 000007026

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

LICENSES:

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

BOARD OF EXAMINERS ON SPEECH PATHOLOGY AND AUDIOLOGY

ELAINE THIBODEAU, ADMINISTRATOR

Central Office: GARDINER ANNEX, GARDINER, ME 04345 *TDD:* (207) 624-8563
Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333 *FAX:* (207) 624-8637
Established: 1976 *Telephone:* (207) 624-8603
Reference: Policy Area: 01 ; *Umbrella:* 02 *Unit:* 296 ; *Citation:* T0032 *M.R.S.A., Sect.* 000006010

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

LICENSES:

PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

STATE BOARD OF VETERINARY MEDICINE

GERALDINE L. BETTS, ADMINISTRATOR

Central Office: GARDINER ANNEX, GARDINER, ME 04345

TDD: (207) 624-8563

Mail Address: 35 STATE HOUSE STATION, AUGUSTA, ME 04333

FAX: (207) 624-8637

Established: 1905

Telephone: (207) 624-8603

Reference: Policy Area: 01 ; Umbrella: 02 Unit: 285 ; Citation: T0032 M.R.S.A., Sect. 000004854

ORGANIZATION:

All professional and occupational licensing boards are now listed under the Office of Licensing and Registration beginning fiscal year 1996.

LICENSES:

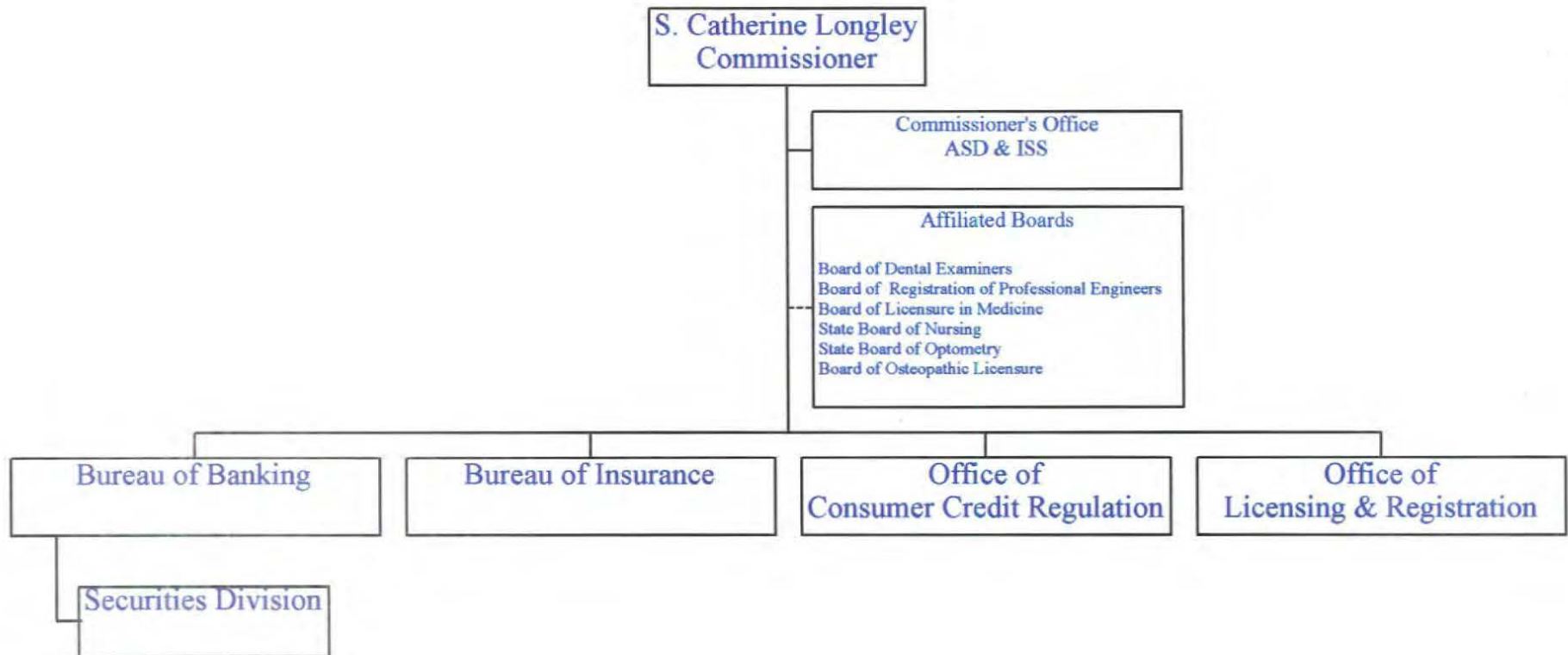
PUBLICATIONS:

FINANCES, FISCAL YEAR 1997: The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit

ATTACHMENTS

SECTION 3

Department of Professional & Financial Regulation



I
 Authorized Positions as of July 1, 1997

Agency	Job Classification
BUREAU OF BANKIN	SECURITIES SPECIALIST
BUREAU OF BANKIN	SENIOR SECURITIES SPECIALIST
BUREAU OF BANKIN	STAFF ATTORNEY
BUREAU OF INSURAN	ACCOUNT CLERK II
BUREAU OF INSURAN	ADMIN SECRETARY
BUREAU OF INSURAN	ASST INSURANCE ANALYST
BUREAU OF INSURAN	ASST INSURANCE ANALYST
BUREAU OF INSURAN	ASST INSURANCE ANALYST
BUREAU OF INSURAN	ASST INSURANCE ANALYST
BUREAU OF INSURAN	CLERK IV
BUREAU OF INSURAN	CLERK IV
BUREAU OF INSURAN	CLERK IV
BUREAU OF INSURAN	CLERK STENOGRAPHER III
BUREAU OF INSURAN	CLERK STENOGRAPHER III
BUREAU OF INSURAN	CLERK STENOGRAPHER III
BUREAU OF INSURAN	CLERK TYPIST II
BUREAU OF INSURAN	CLERK TYPIST II
BUREAU OF INSURAN	CLERK TYPIST II
BUREAU OF INSURAN	CLERK TYPIST III
BUREAU OF INSURAN	CLERK TYPIST III
BUREAU OF INSURAN	CLERK TYPIST III
BUREAU OF INSURAN	CLERK TYPIST III
BUREAU OF INSURAN	CLERK TYPIST III
BUREAU OF INSURAN	CLERK TYPIST III
BUREAU OF INSURAN	CLERK TYPIST III
BUREAU OF INSURAN	CONSUMER ASST & HEARING COORD
BUREAU OF INSURAN	CONSUMER OUTREACH SPECIALIST
BUREAU OF INSURAN	DEP INSURANCE SUPERINTENDENT
BUREAU OF INSURAN	DEP INSURANCE SUPERINTENDENT
BUREAU OF INSURAN	DIR INSURANCE EXAMINATION DIV
BUREAU OF INSURAN	DIR INSURANCE EXAMINATION DIV
BUREAU OF INSURAN	HEARINGS EXAMINER
BUREAU OF INSURAN	INSURANCE ACTUARIAL ASSISTANT
BUREAU OF INSURAN	INSURANCE ACTUARY
BUREAU OF INSURAN	INSURANCE ACTUARY
BUREAU OF INSURAN	INSURANCE CLAIMS EXAMINER
BUREAU OF INSURAN	INSURANCE CLAIMS EXAMINER
BUREAU OF INSURAN	INSURANCE COMPANY EXAMINER
BUREAU OF INSURAN	INSURANCE COMPANY EXAMINER
BUREAU OF INSURAN	INSURANCE COMPANY EXAMINER
BUREAU OF INSURAN	INSURANCE COMPANY EXAMINER
BUREAU OF INSURAN	INSURANCE COMPANY EXAMINER
BUREAU OF INSURAN	INSURANCE CONTRACT EXAMINER
BUREAU OF INSURAN	INSURANCE CONTRACT EXAMINER
BUREAU OF INSURAN	INSURANCE DIVISION SUPV
BUREAU OF INSURAN	LEGAL SECRETARY
BUREAU OF INSURAN	MANAGING INSURANCE EXAMINER

I

Authorized Positions as of July 1, 1997

Agency	Job Classification
BUREAU OF INSURAN	MANAGING INSURANCE EXAMINER
BUREAU OF INSURAN	MANAGING INSURANCE EXAMINER
BUREAU OF INSURAN	MANAGING INSURANCE EXAMINER
BUREAU OF INSURAN	MANAGING INSURANCE EXAMINER
BUREAU OF INSURAN	MANAGING INSURANCE EXAMINER
BUREAU OF INSURAN	MANAGING INSURANCE EXAMINER
BUREAU OF INSURAN	MANAGING INSURANCE EXAMINER
BUREAU OF INSURAN	MARKET CONDUCT DIVISION SUPV
BUREAU OF INSURAN	MARKET CONDUCT EXAMINER
BUREAU OF INSURAN	POLICY DEVELOPMENT SPECIALIST
BUREAU OF INSURAN	PROPERTY/CASUALTY DIV SUPV
BUREAU OF INSURAN	RECEPTIONIST
BUREAU OF INSURAN	REGULATORY BOARD COORDINATOR
BUREAU OF INSURAN	SENIOR INSURANCE ANALYST
BUREAU OF INSURAN	SENIOR INSURANCE ANALYST
BUREAU OF INSURAN	SENIOR INSURANCE ANALYST
BUREAU OF INSURAN	SENIOR INSURANCE EXAMINER
BUREAU OF INSURAN	SENIOR INSURANCE EXAMINER
BUREAU OF INSURAN	SENIOR INSURANCE EXAMINER
BUREAU OF INSURAN	SENIOR INSURANCE EXAMINER
BUREAU OF INSURAN	SENIOR INSURANCE RATE ANALYST
BUREAU OF INSURAN	SENIOR INSURANCE RATE ANALYST
BUREAU OF INSURAN	SENIOR INSURANCE RATE ANALYST
BUREAU OF INSURAN	SENIOR MARKET CONDUCT EXAMINER
BUREAU OF INSURAN	SENIOR STAFF ATTORNEY
BUREAU OF INSURAN	STAFF ATTORNEY
BUREAU OF INSURAN	STAFF ATTORNEY
BUREAU OF INSURAN	STATISTICIAN III
BUREAU OF INSURAN	SUPT INSURANCE
BUREAU OF INSURAN	WORKERS' COMP INS DIV SUPV
CONSUMER CREDIT	ADMIN SECRETARY
CONSUMER CREDIT	CLERK TYPIST II
CONSUMER CREDIT	CLERK TYPIST III
CONSUMER CREDIT	CONSUMER CREDIT EXAMINER
CONSUMER CREDIT	CONSUMER OUTREACH SPECIALIST
CONSUMER CREDIT	DIR OFC OF CONSUMER CREDIT REG
CONSUMER CREDIT	PRINCIPAL CONSUMER CREDIT EXAM
CONSUMER CREDIT	PRINCIPAL CONSUMER CREDIT EXAM
CONSUMER CREDIT	SENIOR CONSUMER CREDIT EXAM
CONSUMER CREDIT	SENIOR CONSUMER CREDIT EXAM
LIC & ENF DIVISION	ACCOUNT CLERK II
LIC & ENF DIVISION	ADMIN SECRETARY
LIC & ENF DIVISION	CHIEF BOILER ELEVATOR INSPECT
LIC & ENF DIVISION	CLERK IV
LIC & ENF DIVISION	CLERK IV
LIC & ENF DIVISION	CLERK IV

73 authorized positions

10 authorized positions, including director

I

Authorized Positions as of July 1, 1997

Agency	Job Classification
LIC & ENF DIVISION	CLERK IV
LIC & ENF DIVISION	CLERK IV
LIC & ENF DIVISION	CLERK IV
LIC & ENF DIVISION	CLERK IV
LIC & ENF DIVISION	CLERK IV
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LIC & ENF DIVISION	CLERK IV
LIC & ENF DIVISION	CLERK IV
LIC & ENF DIVISION	CLERK IV
LIC & ENF DIVISION	CLERK TYPYST II
LIC & ENF DIVISION	CLERK TYPYST II
LIC & ENF DIVISION	CLERK TYPYST II
LIC & ENF DIVISION	CLERK TYPYST II
LIC & ENF DIVISION	CLERK TYPYST II
LIC & ENF DIVISION	CLERK TYPYST II
LIC & ENF DIVISION	CLERK TYPYST II
LIC & ENF DIVISION	CLERK TYPYST II
LIC & ENF DIVISION	CLERK TYPYST II
LIC & ENF DIVISION	CLERK TYPYST II
LIC & ENF DIVISION	CLERK TYPYST II
LIC & ENF DIVISION	CLERK TYPYST II
LIC & ENF DIVISION	CLERK TYPYST II
LIC & ENF DIVISION	CLERK TYPYST III
LIC & ENF DIVISION	COMPLIANCE INSPECTOR
LIC & ENF DIVISION	COMPLIANCE INSPECTOR
LIC & ENF DIVISION	DIR OFF OF LICENSING & REGISTRATION
LIC & ENF DIVISION	DIR REAL ESTATE COMMISSION
LIC & ENF DIVISION	ELECTRICAL INSPECTOR
LIC & ENF DIVISION	ELECTRICAL INSPECTOR
LIC & ENF DIVISION	ELECTRICAL INSPECTOR
LIC & ENF DIVISION	ELECTRICAL INSPECTOR
LIC & ENF DIVISION	ELECTRICAL INSPECTOR
LIC & ENF DIVISION	EX DIR MANUFACTURED HOUSING BD
LIC & ENF DIVISION	FUNERAL INSPECTOR
LIC & ENF DIVISION	MODULAR HOUSING INSPECTOR
LIC & ENF DIVISION	OILBURNER INSPECTOR
LIC & ENF DIVISION	OILBURNER INSPECTOR
LIC & ENF DIVISION	PHARMACIST
LIC & ENF DIVISION	PHARMACIST
LIC & ENF DIVISION	PLAN & RESEARCH ASSOC I
LIC & ENF DIVISION	PLAN & RESEARCH ASSOC II
LIC & ENF DIVISION	PLUMBING INSPECTOR
LIC & ENF DIVISION	PROPANE/NATURAL GAS INSPECTOR
LIC & ENF DIVISION	REAL ESTATE EXAMINER

I
Authorized Positions as of July 1, 1997

*6/1
authorized
positions*

Agency	Job Classification
LIC & ENF DIVISION	RECEPTIONIST
LIC & ENF DIVISION	REGULATORY BOARD COORDINATOR
LIC & ENF DIVISION	REGULATORY BOARD COORDINATOR
LIC & ENF DIVISION	REGULATORY BOARD COORDINATOR
LIC & ENF DIVISION	REGULATORY BOARD COORDINATOR
LIC & ENF DIVISION	SENIOR ELECTRICAL INSPECTOR
LIC & ENF DIVISION	SENIOR OIL BURNER INSPECTOR
LIC & ENF DIVISION	SENIOR PLUMBING INSPECTOR
LIC & ENF DIVISION	SENIOR REAL EST. EXAMINER



STATE OF MAINE
DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION
35 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0035

ANGUS S. KING, JR.
GOVERNOR

S. CATHERINE LONGLEY
COMMISSIONER

DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION CONTACT PERSONS

COMMISSIONER'S OFFICE 624-8511

S. Catherine Longley, Commissioner - 624-8511
Christina K. Valar, Staff Attorney & Legislative Liaison - 624-8614
Ann E. Clark, Secretary - 624-8511

BUREAU OF INSURANCE 800-300-5000 624-8475

ADMINISTRATIVE DIVISION

Alessandro Iuppa - Acting Superintendent - 624-8401
Nancy Johnson - Deputy Superintendent - 624-8403

PROPERTY/CASUALTY DIVISION

Responsible for approval of rate and form filings for property/casualty (car insurance, homeowners, liability, business, etc.) insurance.

Pam Quint - Supervisor - 624-8469
Dick Johnson - Property/Casualty Actuary - 624-8427

Property/Casualty Complaint Examiners

Connie Mayette - 624-8474
Sandy Chesley - 624-8567

Investigate complaints by consumers against agents and insurance companies and responds to consumer inquiries.



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PHONE: (207)624-8511 (Voice)

(207) 624-8563 (TDD)

FAX: (207)624-8595

Internet: katy.longley@state.me.us

OFFICES LOCATED AT: 122 NORTHERN AVENUE, GARDINER, MAINE

LIFE & HEALTH DIVISION

Responsible for approval of life & health insurance rates and forms.

David Stetson - Supervisor - 624-8435

Rick Diamond - Life & Health Actuary - 624-8428

Life and Health Complaint Examiners

Pat Libby - 624-8432

Investigate complaints by consumers against agents and insurance companies and responds to consumer inquiries.

WORKERS' COMPENSATION DIVISION

Reviews Workers' Compensation rates and form filings.

Eric Cioppa - Supervisor - 624-8426

Frank Kimball - Senior Rate Analyst - 624-8451

Responds to consumer inquiries and reviews rate and form filings.

LICENSING

Issues and renews licenses of agents and insurance companies authorized to conduct business in Maine.

Helpdesk - 624-8414

Provides information on all individual and organizational licensing issues.

FINANCIAL ANALYSIS DIVISION

Oversees the analysis of financial information for domestic & foreign insurers.

Lisa Nelson - Director - 624-8495

SELF-INSURANCE DIVISION

Oversees the renewal and license process for compliance with the Workers' Compensation Self-Insurance Law.

Joel Thomsen - Director - 624-8495

EXAMINATION/SOLVENCY

Responsible for examination of Maine domestic insurance companies.

Donald Sirois - Director - 624-8443

MARKET CONDUCT DIVISION

Responsible for the enforcement/compliance of Maine law involving insurance agents and insurance companies operating in the State of Maine.

Van E. Sullivan - Supervisor - 624-8463

LEGAL DIVISION

Thomas Record - Senior Staff Attorney - 624-7424

Rosalie Howes - Outreach - 624-8402

Requests for consumer brochures.

BUREAU OF BANKING

624-8570

H. Donald DeMatteis - Superintendent - 624-8575

Regulates banks, savings banks, savings and loans and credit unions

RESEARCH AND ADMINISTRATION DIVISION

Colette Mooney - Deputy Superintendent - 624-8574

Christine Pearson - Statistical Information - 624-8576

Robert Studley - Bank Applications - 624-8573

Kristine Ossenfort - Staff Attorney - 624-8525

CONSUMER OUTREACH DIVISION

David Leach - Director - Consumer Outreach Division - 624-8578

Carole Sanders, Senior Bank Examiner - 624-8581

Responds to questions and complaints regarding financial institutions

EXAMINATION DIVISION

Donald Groves - Chief Bank Examiner - 624-8577

SECURITIES DIVISION

Christine Bruenn - Administrator - 624-8551

The Securities Division counsels small businesses raising capital in Maine, registers securities offerings, licenses broker-dealers, sales representatives, and investment advisers, and investigates consumer complaints and investment fraud

Contact Persons:

Paul Peterson - for small business assistance

Bonnie Russell - for information on registering securities offerings

Judith Dorsey - for complaints about fraud or other abuses in connection with investments in securities

Arthur Hosford - for information on investment advisers licensing or licensees

Jacqueline Drouin - for information on broker-dealer and sales representative licensing or licensees

**OFFICE OF CONSUMER CREDIT REGULATION
624-8527**

William N. Lund - Director

Agency regulates mortgage companies, credit sales debt collection, credit reporting, loan brokers, rent to own, pawn shops and money order issuers

Examinations - Del Pelton 624-8527

Licensing/Registration - Rich Howard 624-8527

Consumer Complaints - Michael Brown 624-8527

**OFFICE OF LICENSING AND REGISTRATION
207/624-8603**

Anne L. Head, Director - 207/624-8633

Karen L. Bossie, Administrative Secretary - 207/624-8619

Cynthia Guckin, Receptionist - 207/624-8603

Dianne Sawyer, Administrator, Licensing Service Center - 207/624-8617

Patrick Ouillette, Executive Director, Manufactured Housing Board - 207/230-0940

Kelly Webster, Clerk, Complaints & Investigations Division - 207/624-8660

Board Administrators:

Geraldine Betts - 207/624-8625

Board of Alcohol & Drug Counselors

Board of Barbering & Cosmetology

Board of Chiropractic Licensure

Board of Complementary Health Care Providers

Board of Pharmacy

Board of Examiners in Physical Therapy

Board of Examiners of Psychologists

Board of Respiratory Care Practitioners

Board of Veterinary Medicine

Cheryl Hersom - 207/624-8605

Board of Accountancy

Arborist Examining Board

Maine Athletic Commission

Board of Boiler Rules

Electricians' Examining Board

Board of Elevator & Tramway Safety

Board of Certification for Geologists & Soil Scientists

Oil & Solid Fuel Board

Maine Pilotage Commission

Plumbers' Examining Board

Propane & Natural Gas Board

Carol Leighton - 207/624-8520

Board of Architects, Landscape Architects & Interior Designers
Board of Licensing of Auctioneers
Board of Licensure for Professional Foresters
Board of Licensure for Professional Land Surveyors
Board of Real Estate Appraisers
Real Estate Commission

Elaine Thibodeau - 207/624-8420

Board of Counseling Professionals Licensure
Board of Dietetic Practice
Board of Funeral Service
Board of Hearing Aid Dealers & Fitters
Nursing Home Administrators Licensing Board
Board of Occupational Therapy Practice
Board of Licensure of Podiatric Medicine
Radiologic Technology Board of Examiners
Board of Social Worker Licensure
Board of Examiners on Speech Pathology & Audiology

Inspection Staff:

Board of Barbering & Cosmetology - 207/624-8621 or 207/624-8632 (office phone numbers)

Mary Ackerson, Compliance Inspector

Marjorie Crandlemire, Compliance Inspector

Expertise: Investigation and inspection of new and existing barber and cosmetology shops and booths and the practices of licensed barbers, cosmetologists, manicurists, aestheticians and instructors.

Board of Boiler Rules / Board of Elevator & Tramway Safety - 207/624-8618 (office phone)

Mohammad Malek, Chief Boiler and Elevator Inspector

Expertise: Investigation and inspection of new and existing boilers, elevators and tramways and the practices of licensed installers.

Electricians' Examining Board - 207/624-8519 (voice mailbox)

William Macomber, Senior Electrical Inspector

Robert Bean, Electrical Inspector

Jeffrey Morin, Electrical Inspector

Winfield Robbins, Electrical Inspector

Expertise: Investigation and inspection of new and existing electrical installations and repairs and the practices of licensed electricians. Insures uniform code interpretation.

Board of Funeral Service - 207/624-8623 (office phone)

John Farnham, Inspector

Expertise: Investigation and inspection of new and existing funeral homes and the practices of licensed funeral practitioners.

Manufactured Housing Board - 207/624-8661 (voice mailbox)

Robert Neff, Inspector

Expertise: Investigation and inspection of new and existing mobile homes and mobile home parks.

Oil and Solid Fuel Board - 207/624-8608 (voice mailbox)

Henry Boucher, Senior Oilburner Inspector

Robert LeClair, Oilburner Inspector

Paul Moody, Oilburner Inspector

Expertise: Investigation and inspection of new and existing oil and solid fuel installations and repairs and the practices of licensed oil and solid fuel installers. Insures uniform code interpretation.

Board of Pharmacy - 207/624-8604 (voice mailbox)

Gregory Cameron, Senior Pharmacy Inspector

Tonya Dickey, Pharmacy Inspector

Expertise: Investigation and inspection of new and existing pharmacies and the practices of licensed pharmacists.

Plumbers' Examining Board - 207/624-8639 (voice mailbox)

Dana Tuttle, Senior Plumbing Inspector

Bruce Greeley, Plumbing Inspector

Expertise: Investigation and inspection of new and existing plumbing installation and repairs and the practices of licensed plumbers. Insures uniform code interpretation.

Propane & Natural Gas Board - 207/624-8610 (office phone)

David Burnell, Propane & Natural Gas Inspector

Expertise: Investigation and inspection of new and existing propane and natural gas installations and repairs and the practices of licensed installers.

Revised September 1997

ATTACHMENTS

SECTION 4

STATE OF MAINE
Department of Professional and Financial Regulation

Work Rule on Seat Belt Use

A. Purpose and Function

To provide for the safety of State employees and their passengers by uniformly requiring use of seat belts when traveling in State vehicles or on official State business.

B. Seat Belt Use

1. Whenever a State employee operates or rides in a State-owned motor vehicle equipped with seat belts, that employee shall use the seat belt when the vehicle is in motion.
2. Whenever a State employee is on official State business and rides in a non-State-owned vehicle equipped with seat belts, that employee shall use the seat belt when the vehicle is in motion.
3. Passengers riding with State employees described in the preceding Sections 1 and 2 shall also use the seat belt when the vehicle is in motion.
4. A State employee may be exempted from the requirements of this policy if they have a medical certificate from a physician stating that the wearing of a seat belt would seriously endanger, aggravate or complicate a present medical condition.

C. Enforcement

Enforcement of this rule shall be by counseling first, followed by progressive discipline, consistent with the terms of applicable collective bargaining agreements or Personnel Rules.

Gilson, Linda S.

From: Sawyer, Paul A.
Sent: Thursday, May 25, 1995 3:28 PM
Subject: EMPLOYEE ASSISTANCE PROGRAM

STATE OF MAINE
Department of Professional and Financial Regulation

POLICY STATEMENT

The Employee Assistance (EAP) is the product of the shared belief by labor and management that State employees are valuable resources to Maine State Government and the public they serve. The EAP was created with the aim to help State employees and their families maintain their health and well-being.

The State of Maine and the unions representing State employees recognize that a wide range of problems, not directly associated with an employee's work, may have an adverse effect on an employee's job performance and health. Further, personal problems of a family member may also affect an employee's job performance. It is recognized that many personal problems can be successfully treated, provided the problem is identified and referral is made to an appropriate source. The State of Maine EAP offers assistance on a broad range of issues - marital or family discord, illness, financial difficulties, mental or emotional distress, alcohol or drug abuse, legal problems, or other concerns. These problems are recognized as progressive and potentially destructive, but they are also recognized as treatable disorders.

Any employee of the Department of Professional and Financial Regulation who may be experiencing a problem of this type is encouraged to seek information and assistance on a confidential basis by contacting the EAP. EAP services are also available to the employee's family or household members.

Participation in the EAP is on a voluntary basis. Although supervisors, union officials and co-workers may encourage an employee to seek help, the decision to seek and accept assistance is the responsibility of the employee.

Participation in the EAP is strictly confidential. All records and information regarding referral, diagnosis, and treatment will be maintained by the EAP and treated as confidential. The program ensures that participants' names and the nature of the problems are not available to supervisors, co-workers, or anyone else.

Employees participating in the EAP are not immune from discipline, however, employees will be evaluated strictly on job performance. Participation in the program will not be used against anyone in disciplinary proceedings nor will participation be detrimental to an employee's job security, promotional opportunities or status.

The EAP is a free service at no cost to participants. If an employee is referred by the EAP to other professional services, the EAP will review the health insurance benefit plan to determine what, if any, costs must be assumed by the employee. Every effort will be made to refer employees to the least costly, highest quality resource available.

The EAP Labor/Management Committee is established to oversee the ongoing operation of the program. The Committee serves to advocate, support, and review the operation of the EAP to assure a program which enhances the productivity, performance, and quality of life of State employees.

To contact representatives of the EAP, please call 1-800-648-2727.

DATE:

SIGNED:

S. Catherine Longley, Commissioner

Professional and Financial Regulation

SECURITY POLICY

Attached is the revised Security Policy for the Department of Professional and Financial Regulation that is effective October 31, 1996. This policy provides all employees with access to information necessary to contribute to a secure work environment. A copy will be maintained in shared folders and be easily accessible to all employees.

The only substantive change from the most current edition is the omission of the requirement to wear I. D. badges. From now on employees do not have to wear I. D. badges. However, employees may wear badges off site while conducting official State business or in the PFR building.

The following employees are members of the Building Response Team for the department and available to assist all employees with questions or concerns:

Lee Conary	Bureau of Insurance	4-8434
Linda Gilson	ASD	4-8505
Rich Howard	Consumer Credit Regulation	4-8531
Carol Leighton	Licensing and Registration	4-8520
Carole Sanders	Bureau of Banking	4-8581
Paul Sawyer	ISS	4-8506
Alex Severance	Licensing and Registration	4-8607
Christina Valar	Commissioner's Office	4-8614

Please familiarize yourselves with the color code emergencies listed near the end of this policy statement as there will be a drill in the near future and remember your "buddy."

INTRODUCTION

The Department has developed this Workplace Security Manual to provide all employees with access to information necessary to contribute to a secure work environment. A copy will be maintained in shared folders or similar place easily accessible by all employees.

The Department plans to provide periodic updates as changes in procedures may dictate. In addition, the Department expects that the Workplace Security Manual will be:

1. Included by the Department in the packet of information provided to all new employees and included in the Department's periodic orientation program for new employees. During new employee orientation the Department's human resource staff will review this policy and will inform employees that they are required to comply with this policy, a copy of which may be found in "shared folders."
2. Provided to Board members by their respective agencies.
3. Reviewed by each agency with each new employee as part of their internal orientation program.

DEFINITIONS

The following is a list of key definitions used in the Department's Workplace Security Manual:

ALARM CODES:

MEANS THE CODES USED TO DISARM INTERNAL AGENCY SECURITY ALARMS.

DOOR ENTRY CODES:

MEANS THE CODE USED TO RELEASE THE COMBINATION LOCK ON THE OUTSIDE EMPLOYEE ENTRANCES.

OUTSIDE EMPLOYEE ENTRANCES:

MEANS EXTERIOR DOORS TO THE BUILDING, EXCLUDING THE MAIN ENTRANCE(S), THAT HAVE COMBINATION LOCKS.

EMPLOYEE:

MEANS STATE EMPLOYEES THAT ARE EMPLOYED BY THE DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION.

NON-EMPLOYEE:

MEANS THE GENERAL PUBLIC, FAMILY, FRIENDS, BOARD MEMBERS, ASSISTANT ATTORNEYS GENERAL, JANITORIAL AND OTHER SERVICE CONTRACTORS, AND TELEPHONE TECHNICIANS.

BUILDING ACCESS

The Department of Professional & Financial Regulation has two main entrances located at the east and west ends of the building. There are 8 other entrances in various locations around the building that serve as employee entrances. Main entrances are unlocked for public admittance between the hours of 7:30 a.m. - 5 p.m. Employee entrances are locked at all times, and employees, with the proper keypad code, may enter the building through employee entrances. Because the employee entrances to the Bureau of Insurance, the Office of Licensing & Registration and the Maine Health Data Organization immediately access areas that are covered by internal agency security alarms, only those employees who know the internal access codes to those alarm systems may use these external doors. Non-employees must enter and exit through the main entrance(s), signing in and out with receptionists as required.

EMPLOYEE RESPONSIBILITY	DEPARTMENT RESPONSIBILITY
<p><u>Work Hours</u></p> <ol style="list-style-type: none"> 1. Employees may utilize outside entrances with the use of proper combinations and knowledge of internal alarm codes where necessary. 2. Employees may not admit non-employees through any of the outside employee entrances. Employees are responsible for directing family, friends and the public to enter and exit through the main entrance(s) so that they may properly sign in and out with receptionist. 3. Identification badges may be worn by employees. 4. Employees must report suspected unauthorized entries to the building to the Administrative Services Division. 5. Employees should make sure that doors close and lock behind them, whether entering or exiting the building. 	<ol style="list-style-type: none"> 1. The Department will establish a system to permit Board members and service contractors (e.g. telephone systems workers, construction workers, computer and photocopy repairmen) to access the Department facilities as needed. 2. The Department shall contract with the landlord to maintain all external doors in good working order and free from obstructions (ice and snow). 3. Each agency shall establish a procedure for greeting visitors to the agency. Such procedures may include designating employee(s) responsible for escorting visitors to and from the front lobby area. When meetings with multiple attendees is scheduled, the agency should provide Administrative Services with a list of attendees for ease of identification. 4. The Department may establish a system that identifies any individual who has either threatened or may pose a risk to employee(s). Such information may be made available to the Department Emergency Response Team who will then determine the appropriate individuals to be notified, including law enforcement officials as deemed necessary.

EMPLOYEE RESPONSIBILITY

6. Employees shall follow procedures established by individual agencies with respect to proper receiving and handling of visitors to the agency.

7. Deliveries of printing, booklets and other bulk deliveries will be made to the public entrances unless other arrangements have been made with the appropriate agency for delivery to other than one of the two public entrances.

8. An employee should report to Administrative Services (48500) if he or she has knowledge of any other employee engaging in activities that are threatening or in obvious violation of the Department's Security Policy.

After Hours

1. Employees must log in and out on sheets which will be provided at each employee entrance.

2. Employees must report suspected unauthorized entries to the building to the Administrative Services Division as soon as possible or to local law enforcement agency when appropriate.

DEPARTMENT RESPONSIBILITY

6. Agencies may establish their own preferred procedures for receiving visitors to their agency, provided the custom procedures do not conflict with the Department's policy.

8. Administrative Services will act upon reports alleging inappropriate activities at the Department's site.

1. Administrative Services shall maintain a supply of building sign in sheets.. The completed forms shall be retained 6 months for future reference.

2. Administrative Services shall act upon reports of unauthorized access by alerting local law enforcement officials or working with the Building Response Team to resolve the unauthorized access.

IDENTIFICATION BADGES

Official PFR ID badges will clearly identify an individual by name and agency and contain a photograph for ease of recognition.

EMPLOYEE RESPONSIBILITY	DEPARTMENT RESPONSIBILITY
1. Employees may wear badges visibly off site while conducting official State business and at all times while in the PFR building.	1. ISS will only prepare ID badges upon authorization by Administrative Services.
2. Employees must maintain badges in good condition; defacing or altering badges is not permitted.	2. Administrative Services may issue a temporary badge to an employee who has lost, forgotten, or had his/her badge stolen. Administrative Services will arrange for permanent replacement of lost or stolen badges. Temporary badges must be turned in at the end of each day.
3. Employees must immediately notify Administrative Services of lost, stolen or forgotten badges.	3. Each agency shall establish a procedure for collecting badges from employees and board members who terminate employment.

SECURITY CODES

All employee entrances are locked at all times. These entrances may be unlocked by entering a 3-digit numerical code on a keypad beside the door. In addition, each agency is secured by a an internal security system armed by motion detectors located in each agency. In order to access internal agency doors, an employee must know the 4-digit numerical code to disarm internal agency security pads. Internal security pads are disarmed by the first employee's entrance in the morning and armed by the last individual leaving at night.

EMPLOYEE RESPONSIBILITY	AGENCY RESPONSIBILITY
1. Employees may not share or transfer alarm or door combination lock codes.	1. Administrative Services will arrange for combination lock codes to be changed as needed.
	2. Each agency shall establish a procedure for arming and disarming internal security alarm pads so that the agency is protected against unauthorized entrance after normal working hours.
	3. Each agency shall arrange with Administrative Services for its internal alarm code(s) to be changed as they deem necessary.
	4. Each agency shall create a procedure for timely dissemination of information to employees when alarm and/or outside door combination lock codes are changed.
	5. Each agency shall maintain a record of which employees have been assigned codes to open outside employee entrances or to disarm internal security alarms.

TRAINING

The Department has established a continuing training program designed to introduce every employee to the issues relating to interfacing with the public on all levels. Based upon their job responsibilities, agency employees will be identified as "High Risk" (those that directly interact with the public and frequently face the possibility of confrontational situations) and "Low Risk" (those who have very little direct contact with the public). All Department employees will be provided with training to heighten their awareness to potential confrontational situations and provide them with the tools to properly handle problems that may arise in dealing with the public. High Risk individuals will receive more intensive training designed to build skills essential to properly manage difficult situations; refresher courses will be provided as needed.

EMPLOYEE RESPONSIBILITY	DEPARTMENT RESPONSIBILITY
1. Each employee shall assist with the analysis of his or her position for purposes of distinguishing between "High Risk" and "Low Risk" positions for training.	1. Each agency shall identify its employees as "High Risk" or "Low Risk" for purposes of this training and shall inform each employee of his or her designation.
2. Each employee shall attend all training sessions assigned.	2. The Department shall arrange for appropriate security training, providing refresher courses and updating information as needs arise.

WEAPONS BAN

The Department has established a policy prohibiting all dangerous weapons from the building. (See Appendix A for copy of Weapons Policy Statement). This weapons ban covers all individuals entering or exiting the building (employees as well as non-employees). Members of the law enforcement agencies and hired security personnel are exempt from the weapons ban when they are on the premises in the line of duty.

EMPLOYEE RESPONSIBILITY	DEPARTMENT RESPONSIBILITY
1. Each employee shall be responsible for adhering to the Department's policy banning weapons in the building.	1. The Department shall review its weapons policy at least annually and shall provide immediate notice to employees should the policy be amended.
2. Each employee shall report to Administrative Services when they become aware that someone has entered the building with a weapon in violation of this policy.	2. The Department shall place a notice on all exterior doors noting the weapons ban.
	3. A copy of the weapons policy shall be provided to new employees by each agency and shall be reviewed in the Department's periodic new employee orientation program.

EMERGENCY ALERT SYSTEM

In order to respond to a possible emergency, a system has been put in place to facilitate internal communications and a safe and uniform response to escalating events. (See Appendix B for description of this system and proper response protocol). A public address system has been installed in the building to allow immediate communication with employees in emergency situations. In addition, a system of silent alarm buttons has been installed throughout the department so that individual employees may alert the appropriate authorities should an emergency situation arise. The Department has formed a Building Response Team comprised of representatives from several agencies that will assist employees in emergency situations. (See Appendix B)

EMPLOYEE RESPONSIBILITY	DEPARTMENT RESPONSIBILITY
1. Each employee must learn the color coded system, and respond appropriately to emergency situations.	1. The Department shall establish the protocol for response to emergency situations and periodically review this plan, revising as appropriate.
2. When a non-employee is on the premises at the time of a sounding of the emergency alert system, employees present with the non-employee shall direct that individual in proper response procedure.	2. The Department shall present the emergency response plan to employees during its periodic orientation program; Each agency is responsible for reviewing the emergency response plan with its employees as needed.
3. Each employee must learn the location of silent alarm buttons placed in their work areas or hearing rooms and must be familiar with the protocol for use of such alarm buttons.	3. The Department has installed emergency alarm buttons in each hearing room and other locations as appropriate. In addition, the Department has purchased portable alarm units that may be used anywhere in the building should the need arise.
	4. The Department will provide instructions to all employees on the deployment and use of emergency alarm buttons and establish a system for alerting the appropriate law enforcement agency when an alarm has sounded.
	5. The Department will provide for periodic testing of the public address system, emergency response and evacuation plans.
	6. Each agency shall keep the description of the color coded system and response protocol found in Appendix B at the receptionist's desk for easy referral.

COMMUNICATIONS

The Department is committed to providing a work place that is safe for all employees. In order to accomplish this goal, all employees must work together in the development of measures designed to enhance safety and keep lines of communication open for further refinement and implementation of our overall plan for workplace security.

EMPLOYEE RESPONSIBILITY	DEPARTMENT RESPONSIBILITY
<p>1. Each employee shall immediately report potentially dangerous or threatening communications (written or oral, personal or business) to the individual or group of individuals designated by the agency for receipt of this information. If that contact is not immediately available, then the employee shall report such information to Administrative Services (Ext. #48500).</p>	<p>1. The Department and each of its agencies pledge their support to continuing open lines of communication with employees and establishing systems/written directions and other measures necessary to keep employees informed of changes in workplace security rules.</p>
<p>2. Each employee must be familiar with the Department's Workplace Security Manual and assist fellow employees in times of emergency.</p>	<p>2. The Department shall continuously consider technological changes that contribute to overall security in the workplace.</p>
<p>3. Each employee must be attentive when the public address system is used and respond immediately to any instructions so provided.</p>	<p>3. The Department may implement a system for tracking employee reports concerning workplace security and will provide the appropriate response to those reports.</p>
	<p>4. Each agency shall establish a plan for receipt of information from employees regarding potentially threatening communications. Such a plan must be provided, in writing to every employee by the agency.</p>
	<p>5. Administrative Services shall establish procedures for use, access, maintenance, and periodic testing of the public address system.</p>

APPENDIX A - DANGEROUS WEAPONS BAN

S. Catherine Longley, Commissioner of the Department of Professional & Financial Regulation reissued on October 15, 1996 the following order:

ORDER. Effective immediately, firearms and other dangerous weapons are not allowed within the offices of the Department of Professional and Financial Regulation. This prohibition includes firearms carried by holders of concealed weapons permits. The only exception to this policy applies to weapons possessed by on duty law enforcement officers.

Violation of this ban by a Departmental employee will result in a disciplinary action, up to and including termination of employment. Public violators will be charged with criminal trespass.

/s/ S. Catherine Longley

APPENDIX B - EMERGENCY ALERT SYSTEM PROTOCOL

This policy establishes a protocol for agency use in responding to a possible emergency. It is the individual responsibility of each employee to learn these codes and to respond accordingly. In addition to assuring the safety of fellow workers, it is also the responsibility of each employee to assure that non-employees present at the time an emergency situation occurs be instructed as to the proper response.

Employees will be instructed, via the Department Public Address System, or other means, when an emergency alert takes place. All other decisions and communications will be handled by Linda Gilson, Paul Sawyer or by individual agency Situation Teams formed to handle special situations. Each agency will notify its employees of the composition of such specialized Situation Teams.

Color Coded Response System

Code Yellow - Heightened Awareness - Potential for Code Orange

1. Provide photo description (when appropriate).
2. Provide automobile description (when appropriate).
3. Lock all windows.
4. Close, lock and frequently check all side doors.
5. Capitol Security on premises. State & local police on alert.
6. Conduct lock-down drills. Test sound system.
7. Familiarize law enforcement officials with interior floor plan.
8. Share news at public meetings and hearings identifying employees who will lead lock-down and/or evacuation of public meetings.
9. Each agency is responsible for its own employees and visitors.

APPENDIX B (Continued)

Code Orange - Lock Down - Immediate Threat or Situation Underway
in Building

1. Building Response Team announces lock-down through public address system.
2. Situation Team contacts Gardiner Police.
3. Employees lock-down all agencies immediately upon notice.
4. Employees caught in hallways move quickly to nearest agency or evacuate building at nearest exit. No agency may open a locked door under any circumstances once a lock-down order has been given unless approved by police.
5. Employees caught in bathrooms are to lock themselves in and await further instructions.
6. Employees move away from doors and windows.
7. Remain calm and await further instructions.

Code Red -Evacuation of Building

1. Police are in charge of situation.
2. Evacuation order given by the Police or Building Response Team.
3. Public address system or fire alarm will be used to signal evacuation.
4. Exit through side doors nearest to your agency and proceed quickly to the lower parking lot. Agencies assemble in groups. Employees check for "buddies". Account for missing persons. Await further instructions.
5. Policy may order evacuation from parking lot by bus or by foot. All employees should immediately follow instructions.

APPENDIX A - DANGEROUS WEAPONS BAN, 12

APPENDIX B - EMERGENCY ALERT SYSTEM PROTOCOL, 13

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SECURITY CODES, 7

TRAINING, 8

WEAPONS BAN, 9

HEAT STRESS POLICY

(OFFICE ENVIRONMENTS ONLY)

EFFECTIVE APRIL 1, 1997

1. Workplace Limits and Surveillance

a. Recommended Limits

- i. Heat exposure to employees in offices will be limited so that unprotected healthy employees who are not acclimatized to working in hot environments are not exposed to combinations of work and environmental heat greater than an effective temperature (ET) of 84°F. For the variety of temperatures and humidity, this is graphically represented on Figure 1. For the purposes of this policy it will be assumed that the typical general office employee is unacclimatized.
- ii. Effect of Clothing: The recommended limit given in Figure 1 is for healthy employees who are physically and medically fit for the level of activity required by their job and who are wearing the customary one layer work clothing ensemble consisting of not more than long-sleeved work shirts and trousers (or equivalent). Management may relax any required dress codes as appropriate which are inconsistent with providing maximum comfort to the employee.

b. Temperature & Humidity Measurement

- i. Measurement methods: Heat stress exposures will be assessed by measurement of temperature and humidity using an approved, calibrated instrument. Each department shall be responsible for acquiring approved instruments. The Bureau of General Services shall be responsible for developing procedures regarding approved calibration procedures and frequency.
- ii. Measurement requirements: Temperature and humidity measurements will be made at or as close as feasible to the work area where the employee is exposed. Measurements will be made by designee(s) appointed by the affected department's commissioner.
- iii. Modifications of work conditions: Measurements will be made at least bi-hourly during the hottest portion of each workshift and when a heat wave occurs or is predicted. If two such sequential measurements exceed the applicable effective temperature, then work conditions will be modified by use of air conditioning equipment where feasible, altering work practices,

To: All Department Employees:
From: S.Catherine Longley, Commissioner
Date: February 10, 1997

The Safety Policy for the Department of Professional and Financial Regulation strives to ensure that all employees have a safe and healthful work environment. The Safety Team makes recommendations to report hazards and review accidents in the workplace and periodically inspect the workplace and discuss health and safety issues.

As you know, the Safety Team recently completed a department-wide video display terminal workstation survey of all employees housed at the Gardiner Annex. The team encountered many questions regarding eye comfort measures. The most common complaints were: eye fatigue, eyes watering, blurred vision and headaches. Committee members conducting the survey suggested the following remedies: refocusing, blinking, vision mini breaks (1 every 20 minutes), use of unscheduled downtime, palming and eye rolling exercises. If you have questions on these suggestions, please contact your safety team member.

To afford employees more control over the comfort level of their workstations, the team also has requested that we determine which employees are eligible for annual eye examinations, plus \$50 toward the cost of corrective lenses or glasses. This is a provision in the video display section of the Collective Bargaining Agreement.

Based upon the Team's recommendations, I am designating the following position classifications as qualifying for the VDT benefits (annual exams and \$50 towards eyeglasses/contacts), effective April 1, 1997.

All ISS Employees

All Examination Staff (the word Examiner must be in the title of classification)

The following clerical employees:

- Clerk Typist II
- Clerk Typist III
- Clerk Stenographer III
- Secretary
- Administrative Secretary
- Sr. Administrative Secretary

An employee in any other classification within the department must request permission from their supervisor to qualify for this benefit under criteria being developed by the Safety Team. We hope to have this criteria out shortly.

Also, please note, this benefit should be coordinated with other health insurance benefits.

If you qualify for this eyecare benefit, you must have your eye care provider complete a form and return it to the Administrative Services Division. The forms (2) can be found in shared folders under "Policies- eyecare". If you have any questions regarding this memorandum, please contact Linda Ruman at 4-8504 or Linda Gilson at 4-8505.

Thank you.

STATE OF MAINE

Department of Professional and Financial Regulation

Health and Safety Plan

STATEMENT OF POLICY

It is the policy of the Department of Professional and Financial Regulation to ensure departmental employees have a safe and healthful work environment in which to carry out their various assignments and duties.

The establishment and maintenance of such an environment requires a continuous concerted program addressing all aspects of health and safety as they relate to the work place.

Strong and visible efforts are critical to the development and implementation of policies and programs which can enhance the State's efforts to improve safety in the work place. I am committed to its success and encourage each appointing authority within the department to join with me in demonstrating that commitment.

With these objectives in mind, I have designated the following representative team:

Rhonda Burgess, Bureau of Consumer Credit Protection
Herbert Condriet, Real Estate Commission
Linda S. Gilson, Administrative Services Division
Robert LeClair, Licensing and Enforcement Division
Thomas Record, Bureau of Insurance
Elaine Thibodeau, Bureau of Insurance
Barbara Tribou, Bureau of Banking
Kelley Webster, Licensing and Enforcement Division

These Safety Team representatives will be responsible for the establishment of a departmental procedure to report hazards and review accidents in the work place, periodically inspect the work place and discuss health and safety issues.

I encourage communication at all levels and ask for your continued assistance and support in attaining this department's objectives to actively pursue a safe and healthful work place for all employees.

March 28, 1995

S. Catherine Longley, Commissioner

STATE OF MAINE

Department of Professional and Financial Regulation

Prohibition of Smoking in State Workplaces

WHEREAS the "Workplace Smoking Act of 1985", 22 MRSA, Sec. 1580-A, takes effect on January 1, 1986; and

WHEREAS that Act requires all employers, including the State, to have "a written policy concerning smoking and non-smoking by employees"; and

WHEREAS that Act requires that "the policy shall prohibit smoking except in designated smoking areas" for the stated purpose of protecting the employer and employees from the detrimental effects of smoking by others; and

WHEREAS smoking is already prohibited at all State executive proceedings to which the public is invited by virtue of Executive Order No. 9FY 78/79;

NOW, THEREFORE, I, JOSEPH E. BRENNAN, Governor of the State of Maine do hereby order:

1. Effectively January 1, 1986, for all State workplaces, the policy of the State of Maine is that: **SMOKING IS PROHIBITED EXCEPT IN DESIGNATED AREAS**> This policy applies to members of the public as well as to State employees.
2. Each Commissioner and Agency Head is hereby authorized and directed:
 - (a) to designate and post any area(s) where smoking will be permitted within his or her Department or Agency, consistent with 22 MRSA, Sec. 1580-A(2) (A);
 - (b) to implement the State's Smoking Policy by issuing and posting a work rule on smoking in the workplace by Friday, December 20, 1985, as directed by the Governor's Office of Employee Relations ("GOER") and consistent with provisions of applicable collective bargaining agreements; and
 - (c) to provide appropriate supervision of the implementation of the State's Smoking Policy, in consultation with GOER and as required by 22 MRSA, Sec. 1580-A(3).

Joseph E. Brennan, Governor

STATE OF MAINE
Department of Professional and Financial Regulation

DRUG-FREE WORKPLACE POLICY

(Effective March 27, 1989)

PURPOSE

In November, 1988, President Reagan signed the "Drug-Free Workplace Act of 1988." The law requires that grantees of federal agencies and most federal contractors certify that they will provide and maintain a drug-free workplace. The State of Maine maintains a strong commitment to provide a safe and healthy environment for State employees and the public they serve. Consistent with that commitment, the State, in accordance with collective bargaining agreements, will implement this work rule for all employees to ensure a work environment free from the effects of alcohol and drug abuse.

While the State of Maine has no intention of intruding into the private lives of State employees, it does retain the right and responsibility to expect each employee to report for work and to perform his/her duties in a manner which does not jeopardize the health and safety of co-workers and the public. Work performance impaired by alcohol or drugs poses a threat to the well-being of employees and the public. Some of the drugs which are illegal under federal, state or local laws include marijuana, heroin, hashish, cocaine, hallucinogens, and depressants and stimulants not prescribed for current medical treatment by an accredited physician. Further, the State recognizes that an employee's consumption of drugs and alcohol, both on or off the job, can have a detrimental impact in the workplace.

It is the goal of the State of Maine to achieve an alcohol and drug-free work environment. It is also the goal of the State of Maine to assist employees in the rehabilitation and treatment of alcohol and drug abuse. The Employee Assistance Program (EAP) will continue to serve employees who voluntarily seek assistance in dealing with drug or alcohol problems. The EAP will provide consultation and referral to an appropriate treatment resource. Any employee may participate in the Employee Assistance Program without jeopardizing his/her employment status. However, voluntary participation in the Employee Assistance Program will not diminish appropriate disciplinary action for a violation of this or other policies.

SCOPE

In order to protect the health and safety of all State employees and the general public, the following policy will become effective March 27, 1989.

Any employee who is under the influence of alcohol or illegal drugs or who possesses or consumes alcohol on the job or in the workplace has the potential for disrupting his or her own, as well as co-workers', safe and efficient performance of duties. Such employees shall be subject to disciplinary action up

to and including termination of employment.

The illegal manufacture, distribution, dispensing, sale, use or possession of narcotics, drugs, or controlled substances is strictly prohibited on the job or in the workplace and shall constitute a dischargeable offense. Any illegal substance found in the workplace will be turned over to the appropriate law enforcement agency and may result in criminal prosecution.

RESPONSIBILITY

Any employee who is convicted of a criminal drug statute violation occurring on the job or in the workplace shall notify his or her employing agency no later than five (5) days after such conviction. Each State agency receiving federal funds shall notify its federal funding agency within ten (10) days after receiving such notification. Upon notification of a conviction it shall be the responsibility of the employing agency to terminate the employee.

It shall be the responsibility of all State agencies and departments to work with the Bureau of State Employee Health, labor unions and other organizations to:

- (a) advise and inform employees of the dangers of drug and alcohol use and abuse on the job or in the workplace; and
- (b) advise and inform employees of the Employee Assistance Program and rehabilitation services.

It shall be the responsibility of each employee to abide by the terms of this work rule.

STATE OF MAINE

Department of Professional and Financial Regulation

DANGEROUS WEAPONS BAN

The Department of Professional and Financial Regulation is the sole lessee and occupant of the Gardiner Annex, located at 122 Northern Avenue in Gardiner, Maine. In light of several threatening events that have transpired at this location, this department will follow the example of other state agencies by proclaiming that dangerous weapons are prohibited from our workplace. A dangerous weapons ban will help ensure the safety and welfare of the employees of this department, as well as our public guests and visitors.

Dangerous weapons include firearms or other weapons, devices, instruments, materials or substances, which, in the manner they are used or threatened to be used, are capable of producing death or serious bodily injury.

Therefore, as Commissioner of this department, I issue the following order:

ORDER: Effectively immediately, firearms and other dangerous weapons are not allowed within the offices of the Department of Professional and Financial Regulation. This prohibition includes firearms carried by holders of concealed weapons permits. The only exception to this policy applies to weapons possessed by on duty law enforcement officers.

Violation of this ban by a Departmental employee will result in a disciplinary action, up to and including termination of employment. Public violators will be charged with criminal trespass.

March 30, 1994

Jane E. Titcomb, Commissioner

Gilson, Linda S.

From: Sawyer, Paul A.
Sent: Thursday, May 25, 1995 3:29 PM
Subject: CRITICAL INCIDENT RESPONSE POLICY

PROFESSIONAL AND FINANCIAL REGULATION

CRITICAL INCIDENT RESPONSE POLICY

The Department of Professional and Financial Regulation establishes a policy regarding procedures governing Critical Incident Response in order to avoid delays or conflicts in accessing Employee Assistance Program services. A critical incident can be defined as any situation that evokes extraordinary emotion on the part of survivors. The department acknowledges that survivors who do not receive help are at risk to develop significant and protracted post-traumatic symptoms. During the first hours after a critical incident, employees may experience a period of shock, disbelief, emotional numbness, and decompensation. Examples of work place traumatic incidents include:

- serious injury or death of fellow worker
- murder of a fellow worker
- employees held hostage
- suicide of a fellow worker
- intensive media coverage and scrutiny
- unusual death or violence to a family member of a worker

The effects of sudden, traumatic events may manifest themselves in a variety of ways. Among the more prevalent symptoms of critical stress are:

- having difficulty putting the incident out of mind
- persistently nervous and anxious
- dependency on alcohol or drugs to calm nerves and get through the day
- nightmares, sleep disturbances or preoccupation with death
- post-traumatic stress disorder (PTSD) relapse

Critical Incident Response (CIR) is the introduction of early intervention by the Department of Professional and Financial Regulation to prevent employees from developing more difficult traumatic stress reactions and to facilitate an effective return to the normal work site routine. The goals of Critical Incident Response are:

1. Provide safety and support to employees/consumers.
2. Encourage emotional ventilation.
3. Promote recall of the incident.
4. Explore personal impact of the trauma on employees.
5. Normalize stress reactions that employees may experience.
6. Educate employees about post-traumatic stress (PTSD).
7. Introduce coping strategies.
8. Encourage employees to seek counseling if stress problems continue.

The State of Maine's EAP provider, Affiliated Healthcare Systems (AHS), maintains a staff of trained professional counselors available to conduct work site debriefings. Depending on the circumstances, the EAP coordinator will determine the size and composition of the CIR team and arrange for scheduling and facilities. The EAP coordinator assumes total responsibility for managing the Critical Incident Response.

Like other EAP services, the Critical Incident Response may be accessed by contacting local EAP coordinators or by contacting Affiliated Healthcare Systems' toll-free number - 1-800-648-2727.

The Department of Professional and Financial Regulation assigns Linda S. Gilson, Director of Administrative Services, the responsibility of coordinating CIR communications with EAP after the initial contact which may be made by any member of the Building Response Team. This department coordinator will supply the following information to the EAP coordinator from Affiliated Healthcare Systems (AHS):

- The nature of the critical incident.
- Assessment of employee reactions including descriptions of behavioral and emotional reactions.
- Number and location of affected employees.
- Any action that has taken place by the department or officials on site
- Identify coordinator at work site.

Based on the above information, the EAP coordinator from AHS will make initial decisions regarding arrival time, size of the CIR team, and use of rooms or other facilities to conduct debriefing. This will be reviewed with the

department's coordinator prior to leaving for the site.

If in the opinion of the EAP coordinator, additional staff are necessary, AHS will be contacted to facilitate assignments. In the event that the incident occurs on an evening or weekend, the EAP coordinator will exercise and proceed as appropriate.

Upon arrival on the site, the EAP coordinator will meet first with the Commissioner of the department or the department's coordinator.

The Commissioner, the Building Response Team and the department's coordinator will concentrate on logistical issues while the EAP coordinator focuses on therapeutic intervention.

The department's coordinator will assure all affected employees have been seen and that follow-up strategies are clarified. Further, a follow-up meeting between the EAP coordinator, members of the Building Response Team and the department's coordinator will be planned within 4 - 6 weeks of the critical incident.

Under no circumstances will information be given to the news media by any member of AHS. Therefore, the only individuals authorized to interact with the media is the department's coordinator or the members of the Building Response Team in her absence.

The Department of Professional and Financial, through the Building Response Team, will periodically educate managers, supervisors, union representatives, and employees on critical incident stress reactions and the availability of CIR services.

The department's coordinator, Linda S. Gilson, may be reached by calling 624-8505 and the members of the Building Response Team with the phone numbers are:

Lee Conary, Bureau of Insurance	Ext. 4-8434
Linda Gilson, Administrative Services	Ext. 4-8505
Rich Howard, Consumer Credit	Ext. 4-8531
Carol Leighton, Real Estate	Ext. 4-8520
Carol Sanders, Banking	Ext. 4-8581
Paul A. Sawyer, Computer Services	Ext. 4-8506
Alex Severance, Licensing	Ext. 4-8607
Christina Valar, Commissioner's Office	Ext. 4-8614

DATE:

Signed:

S. Catherine Longley, Commissioner

ATTACHMENT

SECTION 5



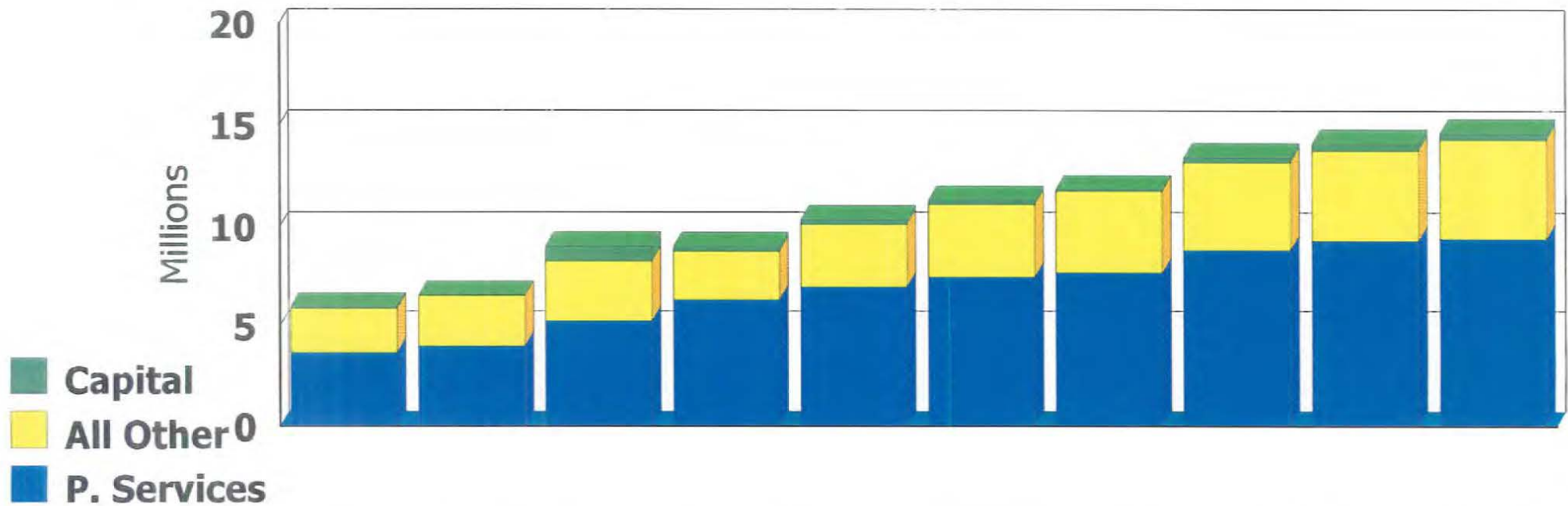
**DEPARTMENT OF PROFESSIONAL AND FINANCIAL
REGULATION**

10 Year History of Revenues and Expenditures



Department of Professional and Financial Regulation

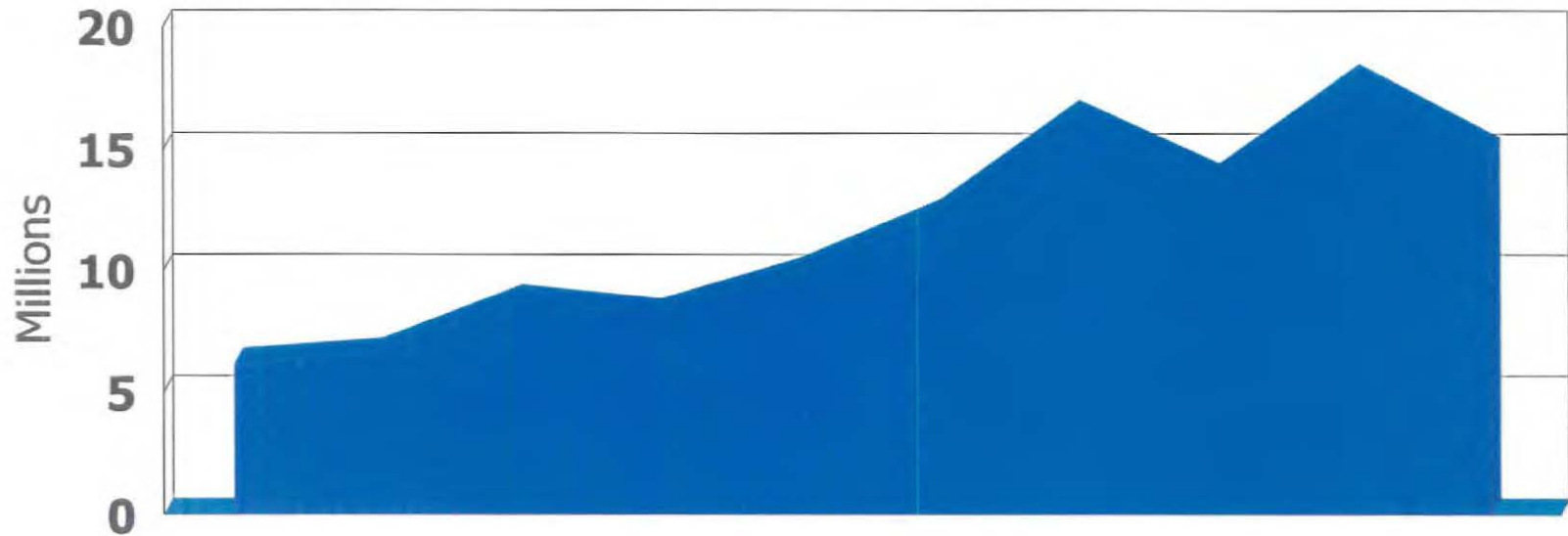
10 Year History of Expenses



	88	89	90	91	92	93	94	95	96	97
■ P. Services	3,669,470	3,999,272	5,250,010	6,318,331	6,960,676	7,465,444	7,676,303	8,824,843	9,295,064	9,403,090
■ All Other	2,200,936	2,518,350	3,009,089	2,448,172	3,146,836	3,613,875	4,058,146	4,326,756	4,429,354	4,886,604
■ Capital	75,883	26,577	765,669	239,717	211,918	219,437	89,898	260,314	354,224	310,193

Department of Professional and Financial Regulation

10 Year History of Revenue

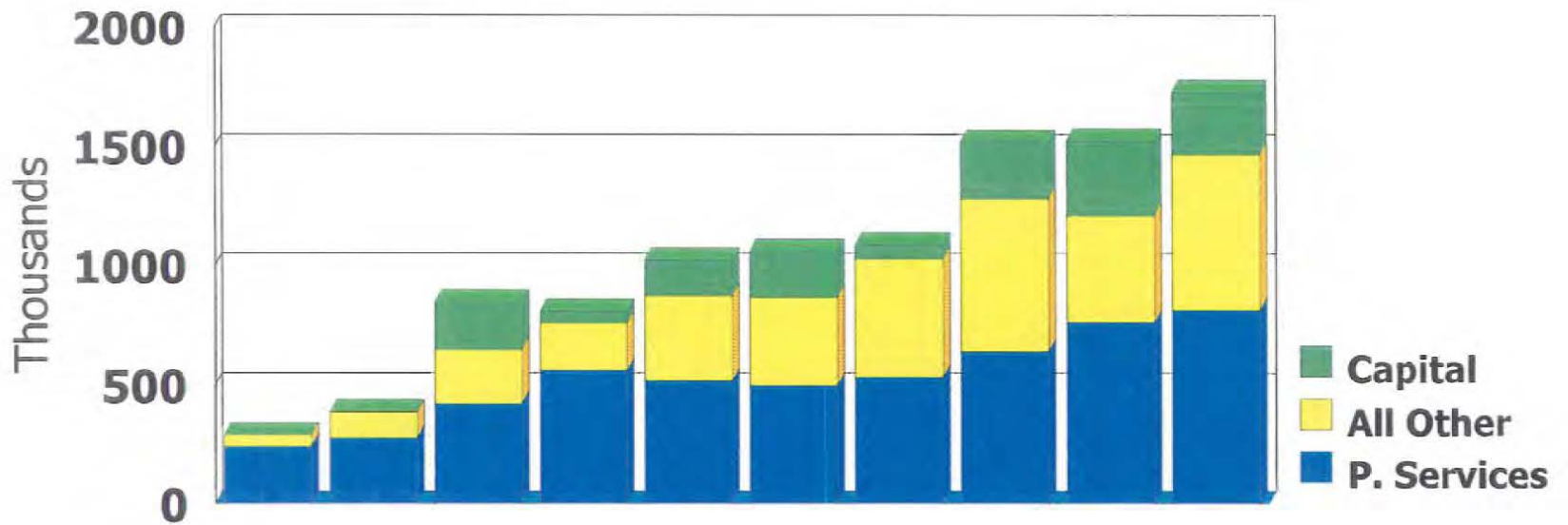


	88	89	90	91	92	93	94	95	96	97
■ Revenues	6,151,812	6,571,796	8,762,451	8,185,433	9,857,169	12,269,203	16,370,015	13,773,174	17,852,339	14,857,411



Commissioner's Office

10 Year History of Expenses



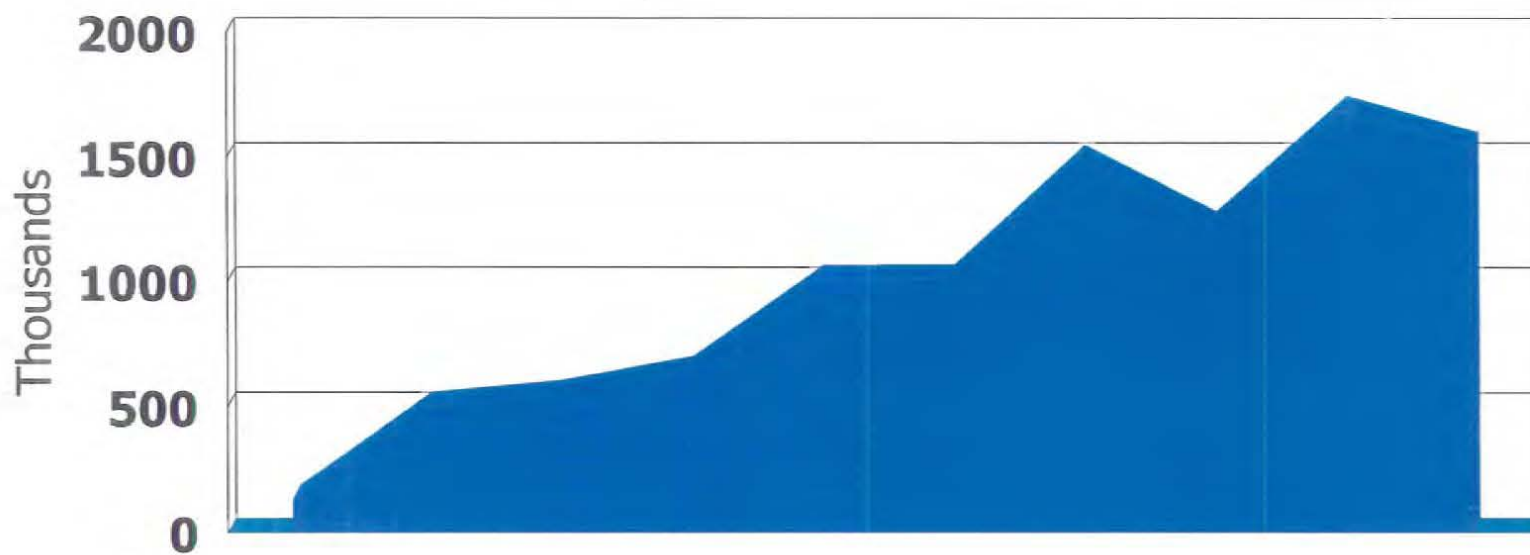
	88	89	90	91	92	93	94	95	96	97
■ P. Services	242,920	277,892	421,658	561,450	516,981	498,246	534,334	639,581	763,887	813,479
■ All Other	46,865	107,730	225,332	197,113	357,016	368,688	492,842	638,858	444,765	651,678
■ Capital	711	969	200,364	51,611	149,762	192,009	60,101	240,452	314,528	262,367



Department of Professional and Financial Regulation

Commissioner's Office

10 Year History of Revenues



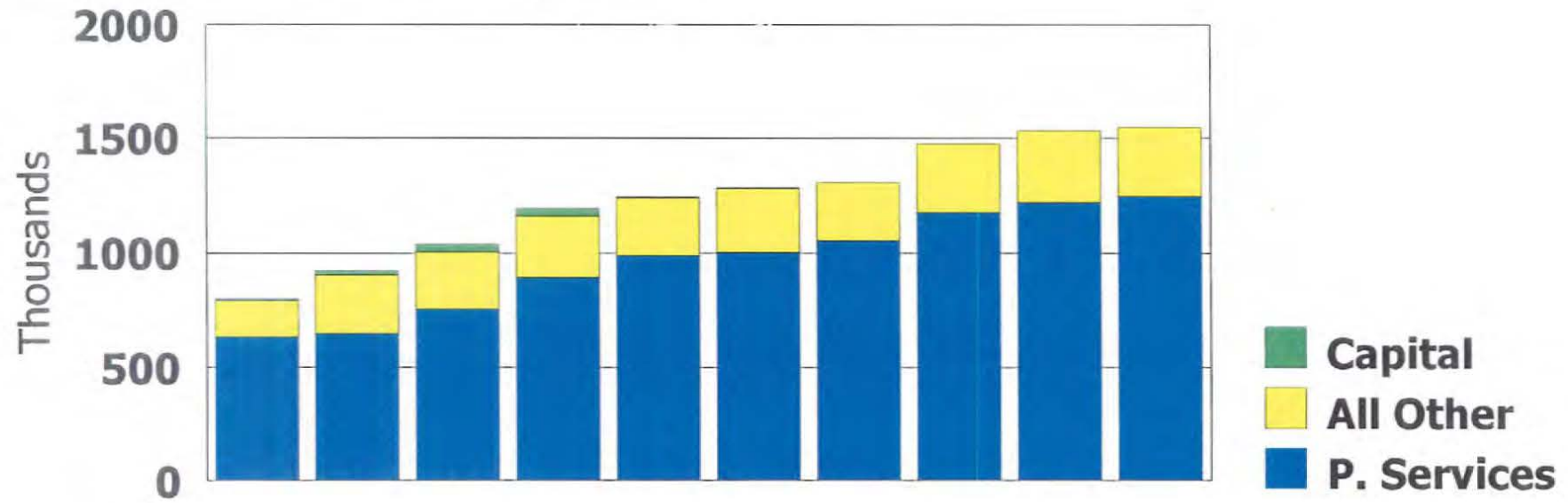
	88	89	90	91	92	93	94	95	96	97
■ Revenues	137,935	501,308	551,526	644,944	1,008,696	1,010,742	1,491,876	1,224,859	1,690,557	1,545,316



Department of Professional and Financial Regulation

Bureau of Banking

10 Year History of Expenses



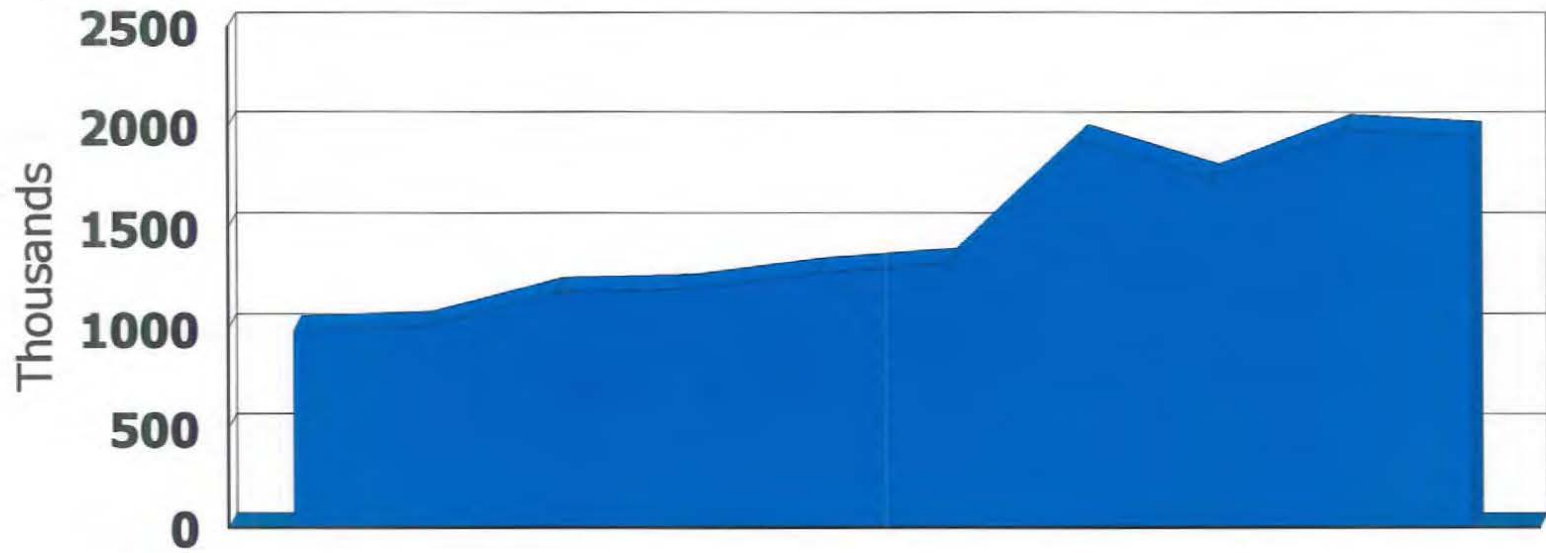
	88	89	90	91	92	93	94	95	96	97
■ P. Services	633,492	648,888	754,290	893,522	987,175	1,002,260	1,052,351	1,174,572	1,217,017	1,245,508
■ All Other	158,105	257,272	249,507	265,694	249,358	275,993	251,373	299,867	314,007	302,007
■ Capital	11,328	17,916	35,874	34,834	7,537	6,164	930	0	0	0



Department of Professional and Financial Regulation

Bureau of Banking

10 Year History of Revenues

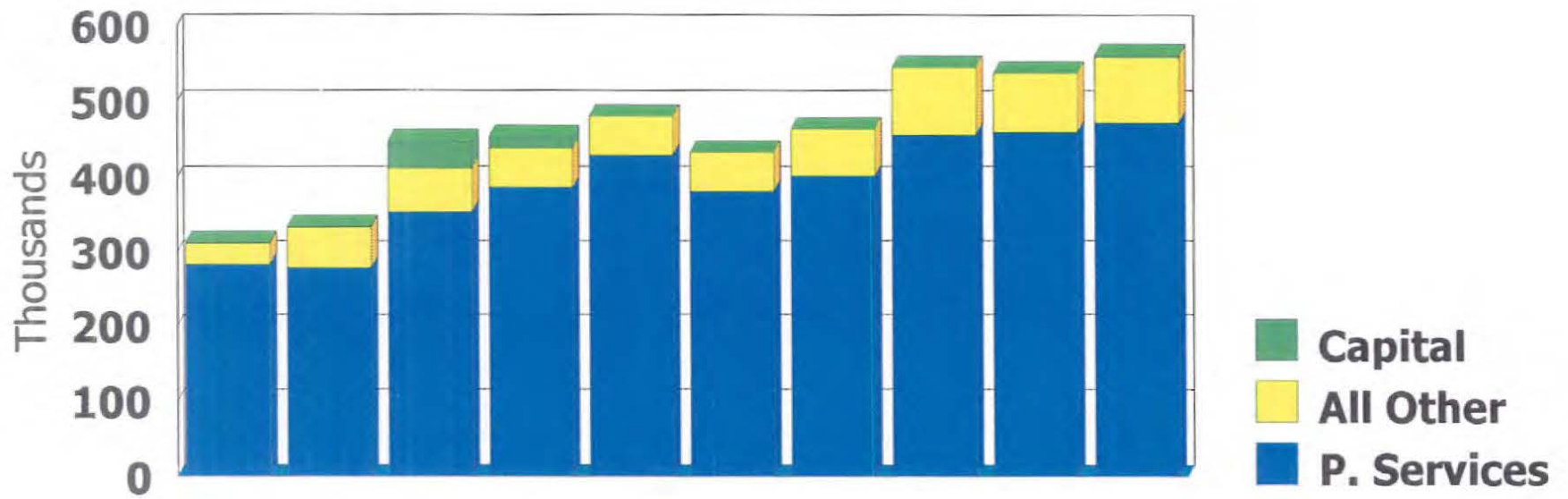


	88	89	90	91	92	93	94	95	96	97
■ Revenues	994,785	1,016,893	1,183,369	1,197,909	1,278,267	1,325,817	1,937,072	1,739,584	1,987,680	1,951,951

Department of Professional and Financial Regulation

Securities Division

10 Year History of Expenses

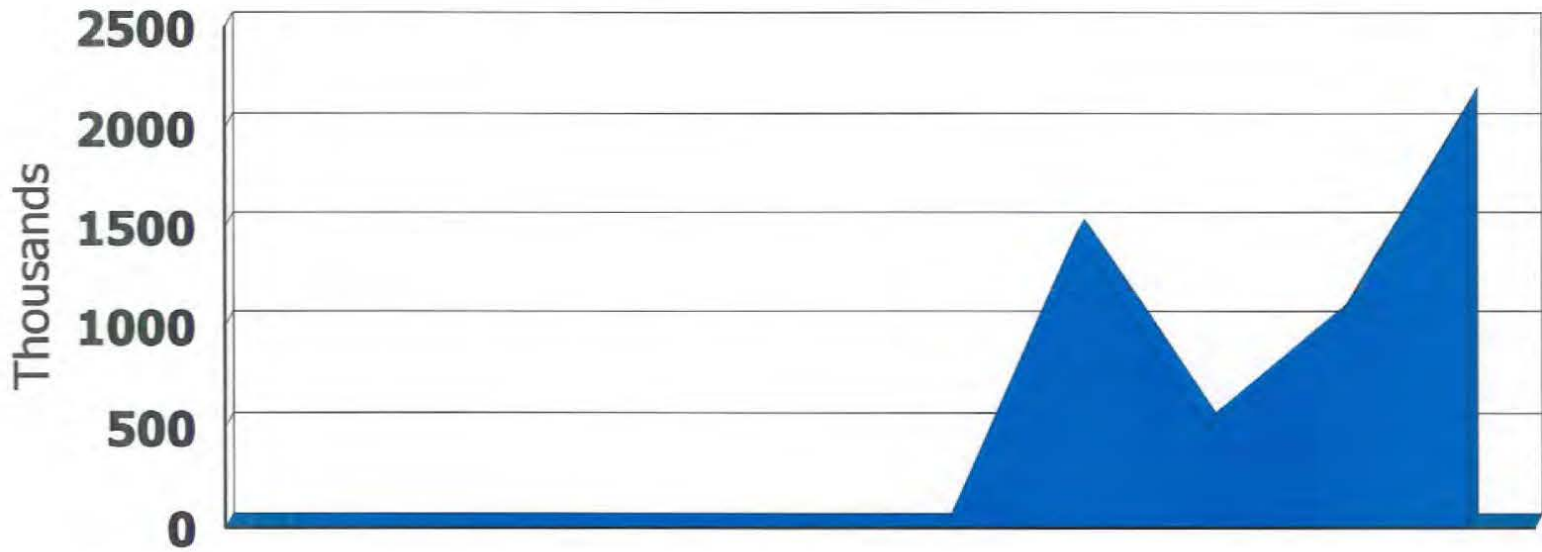


	88	89	90	91	92	93	94	95	96	97
P. Services	283,453	279,078	354,447	386,838	430,081	381,742	402,321	457,168	460,837	473,211
All Other	28,184	53,956	58,227	52,741	51,486	51,997	62,606	88,815	77,775	85,939
Capital	1,536	2,021	36,449	14,737	0	0	0	0	0	2,532
										56,682

Department of Professional and Financial Regulation

Securities Division

10 Year History of Revenues



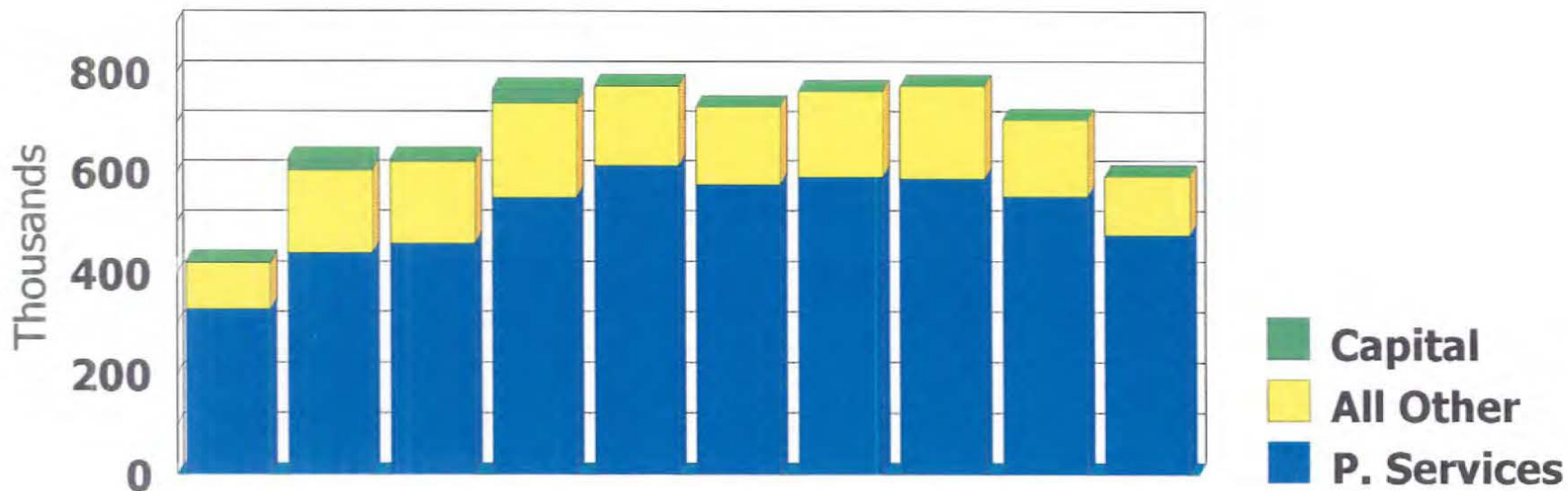
	88	89	90	91	92	93	94	95	96	97
■ Revenues *	0	0	0	0	0	0	1,464,173	502,030	1,037,883	2,124,716

* In addition to dedicated revenues the Securities Division also collected \$4,990,533 for the General Fund in FY97.

Department of Professional and Financial Regulation

Office of Consumer Credit Protection

10 Year History of Expenses



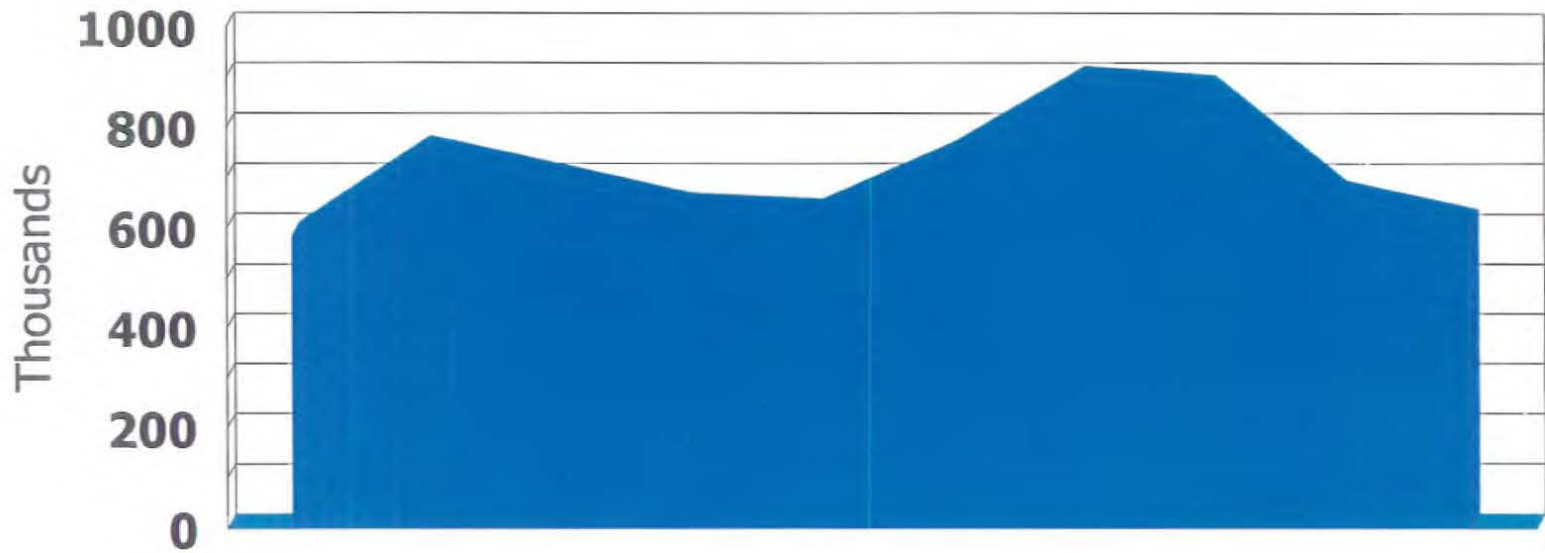
	88	89	90	91	92	93	94	95	96	97
■ P. Services	328,796	439,233	457,722	548,582	612,378	574,484	589,769	586,399	550,577	474,938
■ All Other	90,546	163,729	162,086	189,946	160,858	157,406	172,785	186,741	154,079	116,025
■ Capital	2694	24237	6337	27318	795	0	0	0	0	0



Department of Professional and Financial Regulation

Office of Consumer Credit Protection

10 Year History of Revenues



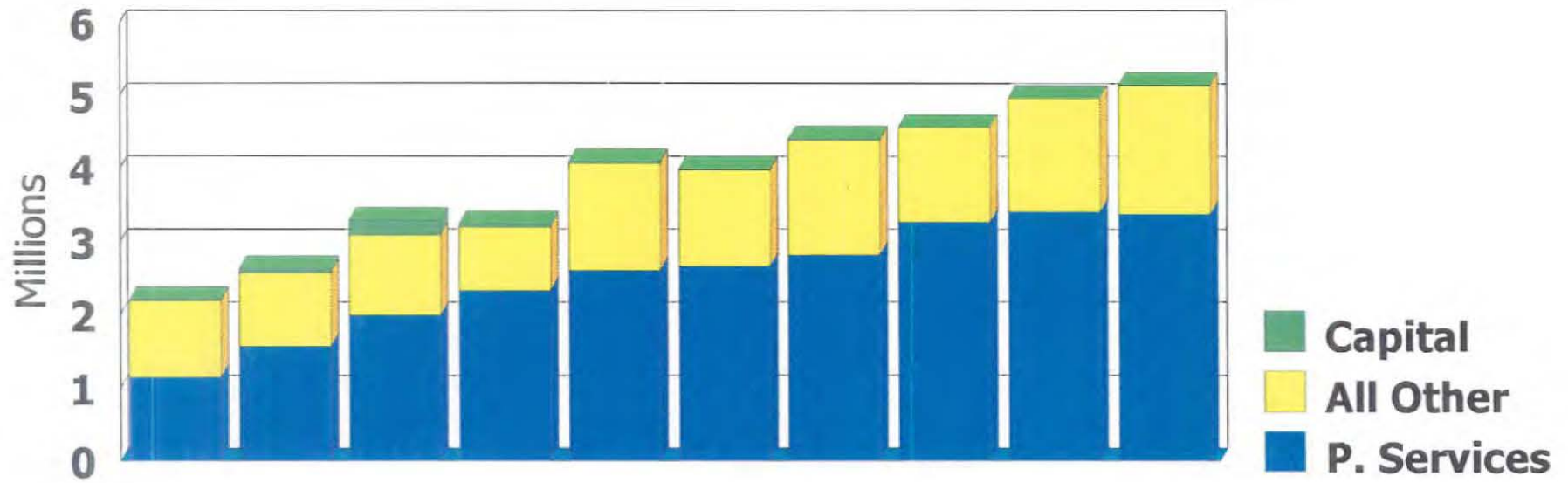
	88	89	90	91	92	93	94	95	96	97
■ Revenues	584,414	755,055	698,885	640,595	630,092	743,241	893,993	875,850	665,336	608,810



Department of Professional and Financial Regulation

Bureau of Insurance

10 Year History of Expenses

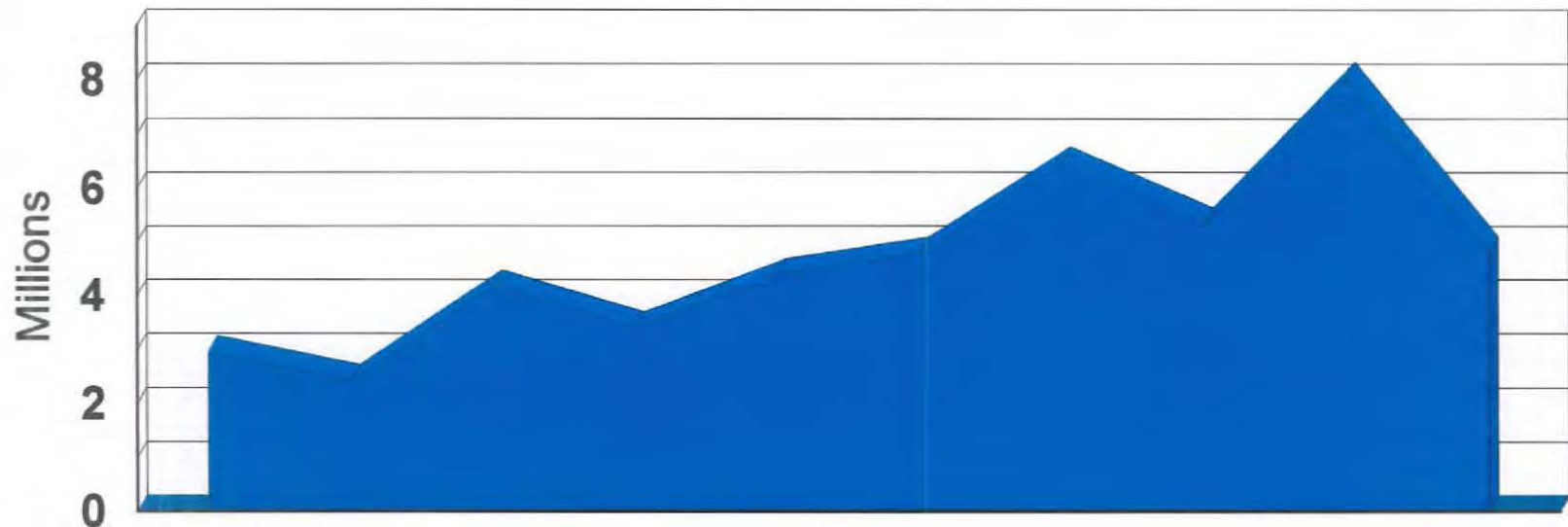


	88	89	90	91	92	93	94	95	96	97
■ P. Services	1,160,654	1,574,302	2,002,287	2,336,420	2,613,526	2,672,108	2,825,183	3,266,605	3,418,817	3,382,480
■ All Other	1,037,902	998,310	1,090,493	860,915	1,464,423	1,311,594	1,567,079	1,301,154	1,554,932	1,768,679
■ Capital	15,476	61,812	211,119	46,712	20,680	16,210	25,258	0	0	4,053

Department of Professional and Financial Regulation

Bureau of Insurance

10 Year History of Revenues



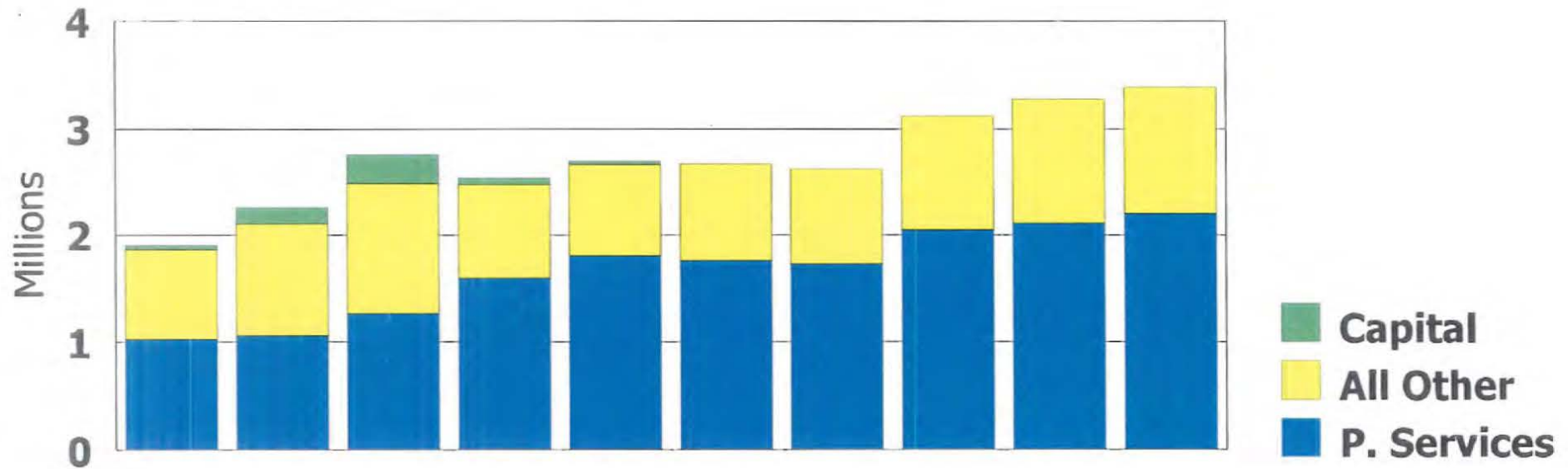
	88	89	90	91	92	93	94	95	96	97
■ Revenues	2,964,656	2,434,279	4,179,269	3,404,706	4,392,973	4,791,389	6,474,816	5,338,848	8,039,068	4,820,795

* In addition to dedicated revenues the Insurance Bureau also collected \$927,937 for the General Fund and Insurance Company Premium taxes collected by the General Fund are in excess of \$35 million
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Department of Professional and Financial Regulation

Office of Licensing and Registration

10 Year History of Expenses

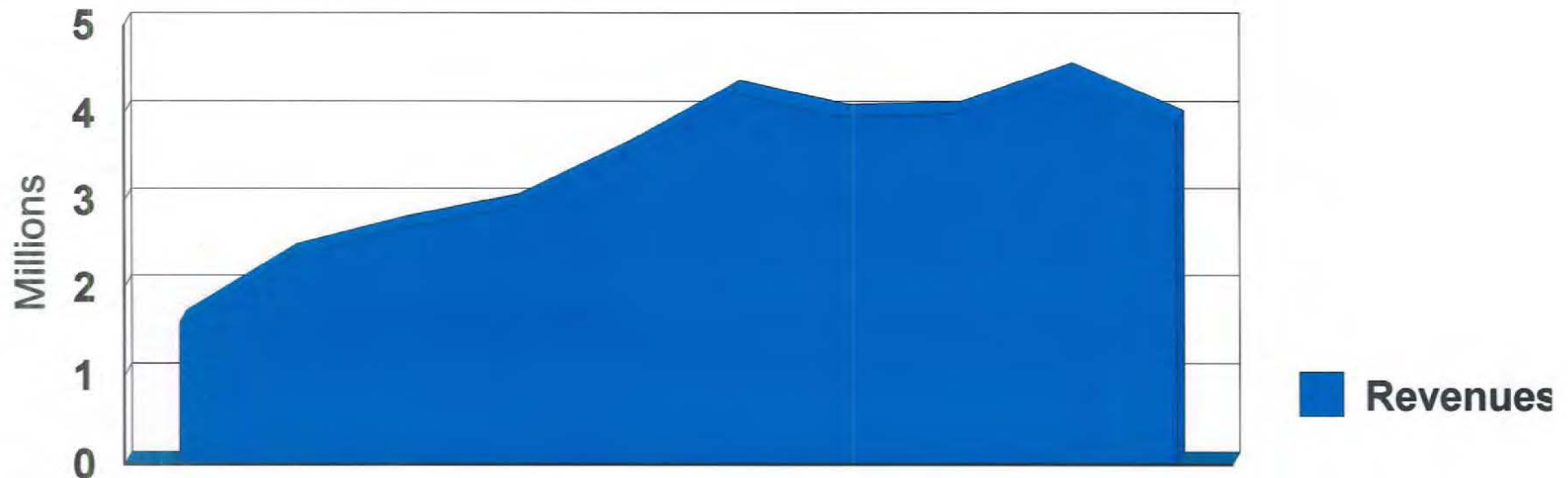


	88	89	90	91	92	93	94	95	96	97
■ P. Services	1,020,155	1,057,771	1,259,606	1,591,519	1,800,535	1,754,271	1,725,834	2,046,244	2,105,369	2,200,636
■ All Other	839,334	1,045,083	1,223,444	881,763	863,695	921,772	896,787	1,073,322	1,174,602	1,185,307
■ Capital	44,438	154,591	275,526	64,505	33,144	0	0	0	0	2,605

Department of Professional and Financial Regulation

Office of Licensing and Registration

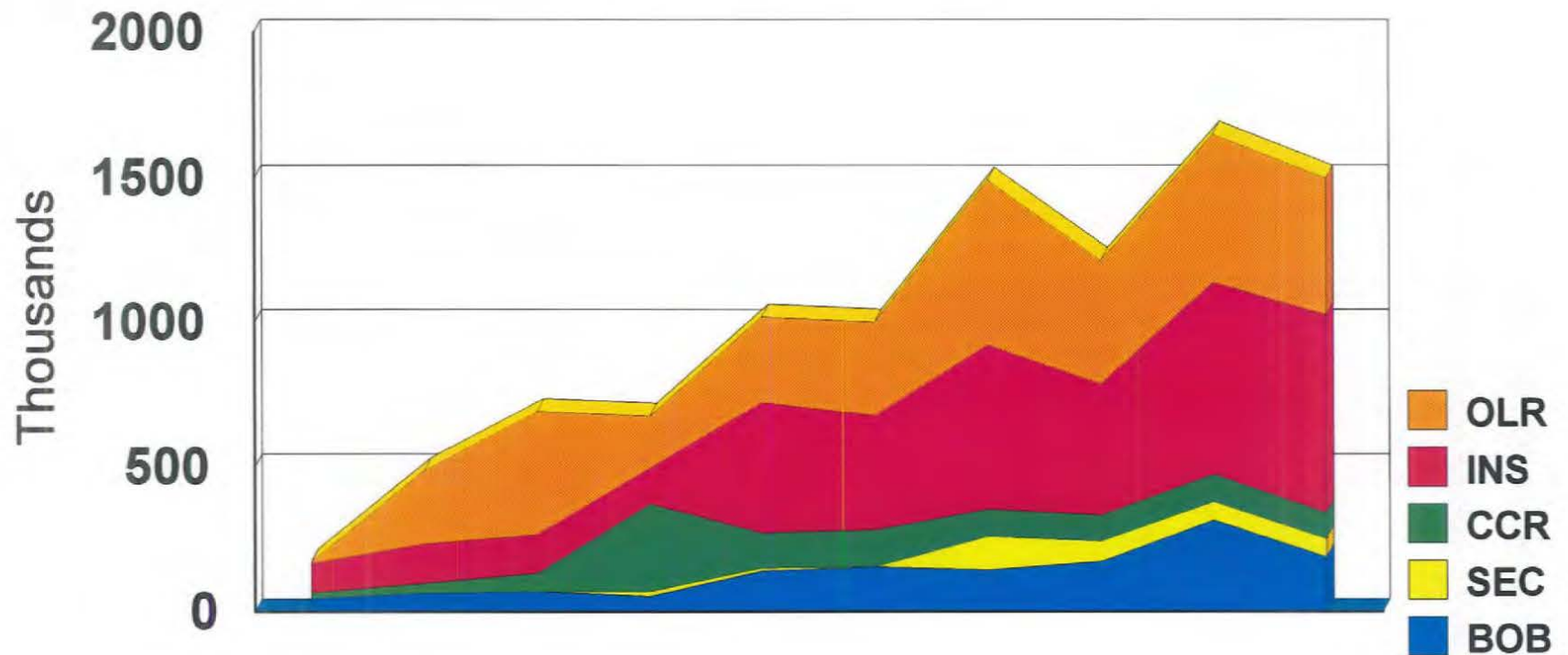
10 Year History of Revenues



	88	89	90	91	92	93	94	95	96	97
■ Revenues	1,606,965	2,365,561	2,685,805	2,936,771	3,548,446	4,238,713	3,963,836	4,002,052	4,440,046	3,901,572



DI-CAP Transfers 88-97



	88	89	90	91	92	93	94	95	96	97
BOB	46,625	63,771	70,100	54,678	140,879	156,185	145,570	173,980	317,709	189,324
SEC	0	0	0	16,381	10,425	0	115,885	70,662	64,483	63,439
CCR	18,650	34,417	63,070	302,571	123,337	127,638	92,754	91,061	95,493	90,385
INS	103,400	137,231	135,325	123,029	449,272	395,586	565,590	450,460	661,398	681,116
OLR	4,501	254,773	424,865	180,506	293,843	320,135	571,893	426,460	511,062	474,286



ATTACHMENT

SECTION 6

This section contains the following materials:

A. 1997 Regulatory Agenda for the following agencies:

- 1. Bureau of Banking**
- 2. Bureau of Banking, Securities Division**
- 3. Office of Consumer Credit Regulation**
- 4. Bureau of Insurance**
- 5. Office of Licensing and Registration**

B. Summary documents regarding Executive Order No. 6 and Department's comprehensive rules review:

- 1. Memorandum to the Governor's Office**
- 2. Executive Order No. 6, FY 94/95, "An Order Regarding Administrative Rulemaking"**
- 3. Agency specific Rules Review Summary and Proposed Action Plan document (includes rule repeal and amendment status as of August 15, 1997)**

1997

REGULATORY AGENDA

**BUREAU OF
BANKING**

Maine Administrative Procedure Act
1997 Regulatory Agenda

20-029

Department of Professional and Financial Regulation
Bureau of Banking
Colette L. Mooney, Deputy Superintendent
36 State House Station
Augusta, ME 04333-0036

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA: None

CHAPTER 101: Retention of Records - Financial Institutions.

STATUTORY AUTHORITY: 9-B M.R.S.A. § 225

PURPOSE: Amend this rule to keep pace with changes in the industry.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: All state-chartered financial institutions and consumers of financial institutions.

CHAPTER 107: Activities Permissible for Financial Institution Holding Companies.

STATUTORY AUTHORITY: 9-B M.R.S.A. § 1014

PURPOSE: Amend this rule to keep pace with changes in the industry and federal rules in this area.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: All state-chartered financial institutions and financial institution holding companies.

CHAPTER 108: Loans Secured by a First Mortgage on Residential Real Estate Payable on Demand.

STATUTORY AUTHORITY: 9-B M.R.S.A. § 241

PURPOSE: Amend this rule to keep pace with changes in industry and secondary market standards for sale of mortgages.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Maine consumers of financial services and state-chartered financial institutions.

CHAPTER 109: Advertising by Financial Institutions, Credit Unions, Bank Holding Companies, and Service Corporations.

STATUTORY AUTHORITY: 9-B M.R.S.A. §§ 215,241, and 242

PURPOSE: Amend this rule to keep pace with changes in state/federal rules governing this area.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Maine consumers of financial services and all state-chartered financial institutions.

CHAPTER 111: Treasury Tax and Loan Accounts.

STATUTORY AUTHORITY: 9-B M.R.S.A. § 416-828

PURPOSE: Amend this rule to keep pace with changes in federal rules in this area.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: All state-chartered financial institutions.

CHAPTER 112: Inactive Account Service Charges.

STATUTORY AUTHORITY: 33 M.R.S.A. Chapter 27

PURPOSE: Amend rule to reflect recent changes in the Unclaimed Property Act.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Maine consumers of financial services and state-chartered financial institutions.

CHAPTER 118: Deposit Account Disclosures.

STATUTORY AUTHORITY: 9-B M.R.S.A. § 241

PURPOSE: Amend this rule to keep pace with federal rules.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Maine consumers of financial services and state-chartered financial institutions.

CHAPTER 119: Alternative Mortgage Transactions.

STATUTORY AUTHORITY: 9-B M.R.S.A. §§ 111,215, and 241

PURPOSE: Engage in joint rulemaking with the Office of Consumer Credit Regulation to amend rule to keep pace with changes in industry and secondary market standards for sale of mortgages.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Maine consumers of financial services and state-chartered financial institutions.

CHAPTER 120: Interstate Bank Ownership.

STATUTORY AUTHORITY: 9-B M.R.S.A. §§ 231, 252, 253, 1013, and 1015

PURPOSE: Proposed repeal of this rule.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: All financial institutions.

CHAPTER 122: Securities Activities of Subsidiaries of Financial Institutions.

STATUTORY AUTHORITY: 9-B M.R.S.A. §§ 111, 131, and 416

PURPOSE: Amend rule to keep pace with changes in industry.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: All state-chartered financial institutions and Maine consumers of financial services.

CHAPTER 123: Insurance Activities in Financial Institutions.

STATUTORY AUTHORITY: 9-B M.R.S.A. §§ 111, 416, and 241

PURPOSE: Amend rule to keep pace with changes in industry.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: All state-chartered financial institutions and Maine consumers of financial services.

CHAPTER 125: Mobile Branches.

STATUTORY AUTHORITY: 9-B M.R.S.A. § 111, 215, and 339

PURPOSE: Propose repeal of this rule.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Maine consumers of financial services and state-chartered financial institutions.

CHAPTER 126: Guaranty Association Lines of Credit (Bureau of Insurance Rule Chapter 570).

STATUTORY AUTHORITY: 9-B M.R.S.A § 215 and 24-A M.R.S.A. §§ 212 and 4435

PURPOSE: Amend to keep pace with changes in the industry.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: All financial institutions and Maine insurance company members of the Maine Insurance Guaranty Association.

CHAPTER 127: Minimum Capital Standards.

STATUTORY AUTHORITY: 9-B M.R.S.A. § 412-A

PURPOSE: Amend rule to keep pace with changes in industry.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: All state-chartered financial institutions.

CHAPTER 128: Loans to One Borrower Limitations.

STATUTORY AUTHORITY: 9-B M.R.S.A. § 439-A

PURPOSE: Amend rule to keep pace with changes in industry.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: All state-chartered financial institutions.

CHAPTER 129: Securities Activities in Financial Institutions.

STATUTORY AUTHORITY: 9-B M.R.S.A. §§ 111, 214, and 416

PURPOSE: Amend to keep pace with federal law.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Maine consumers of non-deposit products and all state-chartered financial institutions.

CHAPTER 130: Distribution of Annuities Through Financial Institutions.

STATUTORY AUTHORITY: 9-B M.R.S.A. § 443

PURPOSE: Amend to keep pace with state/federal law.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Maine consumers of non-deposit products and all state-chartered financial institutions.

CHAPTER 131: Semiannual Assessments.

STATUTORY AUTHORITY: 9-B M.R.S.A § 241

PURPOSE: Amend to provide for a reasonable flow of revenue to support Bureau operations.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: All state-chartered financial institutions.

CHAPTER 132: Mutual Holding Companies.

STATUTORY AUTHORITY: 9-B M.R.S.A. § 1051

PURPOSE: Amend to keep pace with federal law.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: All state-chartered savings banks.

CHAPTER 133: Leasing of Personal Property by State-Chartered Credit Unions.

STATUTORY AUTHORITY: 9-B M.R.S.A. §111, 215, and 828

PURPOSE: Amend to keep pace with federal law.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Members of state-chartered credit unions and all state-chartered credit unions.

CHAPTER 134: Credit Union Service Corporations.

STATUTORY AUTHORITY: 9-B M.R.S.A. § 111, 215, 137, and 828

PURPOSE: Amend to keep pace with federal law.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Members of state-chartered credit unions and all state-chartered credit unions.

CHAPTER 135: Permissible Tie-In Arrangements.

STATUTORY AUTHORITY: 9-B M.R.S.A § 111, 215, and 243

PURPOSE: Amend to keep pace with federal law.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: All state-chartered financial institutions.

CHAPTER 136: Deposit Production Offices.

STATUTORY AUTHORITY: 9-B M.R.S.A. § 241

PURPOSE: Amend rule to keep pace with changes on state/federal level.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Maine consumers and businesses and all financial institutions authorized to do business in this state.

CHAPTER 137: Interstate Branch Assessment.

STATUTORY AUTHORITY: 9-B M.R.S.A § 214

PURPOSE: Amend to keep pace with changes in the industry.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Any financial institution operating an interstate branch.

CHAPTER 138: Truth-in Lending Regulation Z-2

STATUTORY AUTHORITY: 9-A M.R.S.A. § 6-104 and § 8-104

PURPOSE: Engage in joint rulemaking with the Office of Consumer Credit Regulation to amend this rule to keep pace with changes at the federal level and maintain Maine's exemption from Reg. Z.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: All state-chartered financial institutions, supervised leaders, and consumers.

CHAPTER - : New Rule

STATUTORY AUTHORITY: 9-B M.R.S.A. §§ 842 and 828

PURPOSE: New rule to address powers and duties of the Board of Directors of credit unions.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: All state-chartered credit unions.

CHAPTER - : New Rule

STATUTORY AUTHORITY: 9-B M.R.S.A § 111 and 1015

PURPOSE: New rule to address applications processing protocol.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: All state-chartered financial institutions.

CHAPTER - : New Rule

STATUTORY AUTHORITY: 9-B M.R.S.A. § 215

PURPOSE: New rule to address safety and soundness issues essential to the supervision of state-chartered financial institutions.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Maine businesses and consumers of financial services and all state-chartered financial institutions.

CHAPTER - : New Rule

STATUTORY AUTHORITY: 9-B M.R.S.A. § 416

PURPOSE: New rule to address safety and soundness on consumer protection issues relating to powers granted through parity.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Consumers of financial services and all state-chartered financial institutions.

CHAPTER - : New Rule

STATUTORY AUTHORITY: 9-B M.R.S.A. § 418

PURPOSE: New rule to expand the activities in which a financial institution may engage under agency agreement.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Consumers of financial services and any financial institution providing services through agency agreements.

CHAPTER - : New Rule

STATUTORY AUTHORITY: 9-B M.R.S.A. § 448

PURPOSE: New joint rule with Bureau of Insurance and Office of Consumer Credit Regulation addressing insurance agency activities in financial institutions.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Maine consumers and state-chartered financial institutions.

CHAPTER - : New Rule

STATUTORY AUTHORITY: 9-B M.R.S.A § 131(6-A), 446-A, and 1014

PURPOSE: New rule expanding list of closely related activities to keep pace with changes in the financial services industry.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Maine consumers and businesses and state-chartered financial institutions.

CHAPTER - : New Rule

STATUTORY AUTHORITY: 9-B M.R.S.A. § 468

PURPOSE: New rule to define or further define instructions on transactions with affiliates.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: State-chartered financial institutions.

CHAPTER - : New Rule

STATUTORY AUTHORITY: 9-B M.R.S.A § 475

PURPOSE: New rule to address trust activities of financial institutions.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: State-chartered financial institutions.

CHAPTER - : New Rule

STATUTORY AUTHORITY: 9-B M.R.S.A § 1216

PURPOSE: New rule to address activities of non-depository trust companies and implement provisions of newly enacted Chapter 121.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Non-depository trust companies.

CHAPTER - : New Rule

STATUTORY AUTHORITY: 9-B M.R.S.A. § 1227

PURPOSE: New rule to address activities of merchant banks and implement provisions of newly enacted Chapter 122.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Merchant banks.

CHAPTER - : New Rule

STATUTORY AUTHORITY: 9-B M.R.S.A. § 1238

PURPOSE: New rule to address activities of uninsured banks and implement provisions of newly enacted Chapter 123.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Uninsured banks.

RULES OF THE OFFICE OF CONSUMER CREDIT REGULATION
TO BE JOINTLY PROMULGATED, AS APPROPRIATE,
WITH THE BUREAU OF BANKING

CHAPTER 110: Bureau Organization Administration and Procedure.

STATUTORY AUTHORITY: 9-A M.R.S.A. § 6-104(1)(E), 6-104(4)(A)

PURPOSE: Engage in joint rulemaking, as appropriate, with the Office of Consumer Credit Regulation to update this rule.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Maine credit consumers, financial institutions, non-bank lenders, and general creditors.

CHAPTER 120: Multiple of the Federal Minimum Wage.

STATUTORY AUTHORITY: 9-A M.R.S.A. §5-105(2)(C); §6-104

PURPOSE: Engage in joint rulemaking, as appropriate, with the Office of Consumer Credit Regulation to update this rule.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Maine credit consumers, financial institutions, non-bank lenders, and general creditors.

CHAPTER 140: Limited Coverage of Property Related to Credit Transactions.

STATUTORY AUTHORITY: 9-A M.R.S.A. §4-301(4); §6-104

PURPOSE: Engage in joint rulemaking, as appropriate, with the Office of Consumer Credit Regulation to update this rule.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Maine credit consumers, financial institutions, non-bank lenders, and general creditors.

CHAPTER 150: Authorization of Rate Tables to Determine Unearned Finance Charge.

STATUTORY AUTHORITY: 9-A M.R.S.A §2-510(3), §8-104(1)

PURPOSE: Engage in joint rulemaking, as appropriate, with the Office of Consumer Credit Regulation to update this rule.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Maine consumers in credit transactions and creditors offering consumer credit on a precomputed basis.

CHAPTER 180: Definition of Official Fees.

STATUTORY AUTHORITY: 9-A M.R.S.A. §6-104(1)(E), §1-301(25), and §6-409

PURPOSE: Engage in joint rulemaking, as appropriate, with the Office of Consumer Credit Regulation to update this rule.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Maine credit consumers and Maine creditors.

CHAPTER 190: "Enforcement Policy Guidelines".

STATUTORY AUTHORITY: 9-A M.R.S.A. §6-104(1)(E), §8-104(1), and §8-108(3)

PURPOSE: Engage in joint rulemaking, as appropriate, with the Office of Consumer Credit Regulation to update this rule.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Maine credit consumers, financial institutions, non-bank lenders, and general creditors.

CHAPTER 200: Rule on Refinancing Multiple Debts.

STATUTORY AUTHORITY: 9-A M.R.S.A. §6-104(1)(E)

PURPOSE: Engage in joint rulemaking, as appropriate, with the Office of Consumer Credit Regulation to update this rule.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Maine credit consumers, financial institutions, non-bank lenders, and general creditors.

CHAPTER 220: "Change in Dollar Amounts".

STATUTORY AUTHORITY: 9-A M.R.S.A. §6-104

PURPOSE: Engage in joint rulemaking, as appropriate, with the Office of Consumer Credit Regulation to update this rule.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Maine credit consumers, financial institutions, non-bank lenders, and general creditors.

1997

REGULATORY AGENDA

**BUREAU OF
BANKING**

SECURITIES DIVISION

MAINE ADMINISTRATIVE PROCEDURE ACT
July 1997 Regulatory Agenda

Agency Umbrella Unit # PRS-029
Department of Professional and Financial Regulation
Bureau of Banking
Securities Division
Christine Bruenn, Securities Administrator
121 State House Station Augusta, ME 04333-0121
Ph#624-8551

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA: None

CHAPTER 105

STATUTORY AUTHORITY: 32 M.R.S.A. §10703

PURPOSE: Rule defining certain fraudulent, dishonest, and unethical practices by broker-dealers, sales representatives, and investment advisers.

ANTICIPATED SCHEDULE: Prior to 6/98

AFFECTED PARTIES: All broker-dealers, sales representatives, investment advisers, and any consumers transacting business with those persons subject to the regulation.

CHAPTER 105

STATUTORY AUTHORITY: 32 M.R.S.A. §§10703,10305.

PURPOSE: Rule adopting license application forms and specifying licensing procedures for broker-dealers and sales representatives.

ANTICIPATED SCHEDULE: Prior to 6/98.

AFFECTED PARTIES: Broker-dealers and sales representatives applying for licenses.

CHAPTER 105

STATUTORY AUTHORITY: 32 M.R.S.A. §§10703,10312

PURPOSE: Rule adopting fees to be imposed by the Securities Administrator for conducting examinations of broker-dealers or investment advisers.

ANTICIPATED SCHEDULE: Prior to 6/98

AFFECTED PARTIES: Broker-dealers and investment advisers.

CHAPTER 105

STATUTORY AUTHORITY: 32 M.R.S.A. §§10703,10307

PURPOSE: Rule establishing testing requirements for sales representatives.

ANTICIPATED SCHEDULE: Prior to 6/98

AFFECTED PARTIES: Sales representatives applying for a Maine license.

CHAPTER 105

STATUTORY AUTHORITY: 32 M.R.S.A. §§10703,10305

PURPOSE: Comprehensive amendment of existing investment adviser rule to reflect changes in the Revised Maine Securities Act necessitated by the National Securities Markets Improvement Act of 1996, to reflect higher initial and renewal fees already imposed by existing legislation, to specify record keeping requirements, and to add the Series 66 examination to the examination qualification requirements.

ANTICIPATED SCHEDULE: Prior to 6/98

AFFECTED PARTIES: All investment advisers and persons representing investment advisers.

CHAPTER 105

STATUTORY AUTHORITY: 32 M.R.S.A. §10703

PURPOSE: Rule dealing with offers of securities on the Internet.

ANTICIPATED SCHEDULE: Prior to 6/98

AFFECTED PARTIES: Any person who plans to offer securities to Maine consumers on the Internet.

CHAPTER 105

STATUTORY AUTHORITY: 32 M.R.S.A. §10502(3)

PURPOSE: Rule exempting certain transactions with accredited investors from the securities registration requirements.

ANTICIPATED SCHEDULE: Prior to 6/98

AFFECTED PARTIES: Accredited investors and issuers selling securities to accredited investors.

CHAPTER 105

STATUTORY AUTHORITY: 32 M.R.S.A. §10703

PURPOSE: Rule requiring the retention of offering materials by issuers selling securities in Maine.

ANTICIPATED SCHEDULE: Prior to 6/98

AFFECTED PARTIES: Issuers selling securities in Maine.

CHAPTER 105

STATUTORY AUTHORITY: 32 M.R.S.A. §10703

PURPOSE: Rule providing for an exemption from securities registration for professional corporations incorporated in Maine.

ANTICIPATED SCHEDULE: Prior to 6/98

AFFECTED PARTIES: Issuers and purchasers of the securities of professional corporations.

CHAPTER 105

STATUTORY AUTHORITY: 32 M.R.S.A. §§10703,10704

PURPOSE: Rule to provide an exemption from the requirement to file a consent to service of process for Maine entities who have previously designated the Secretary of State as their agent

ANTICIPATED SCHEDULE: Prior to 6/98

AFFECTED PARTIES: Maine issuers selling securities in Maine.

CHAPTER 105

STATUTORY AUTHORITY: 32 M.R.S.A. §10502(3)

PURPOSE: Rule allowing issuers who rely on Regulation A or Rule 506 of Regulation D, as adopted by the United States Securities and Exchange Commission, to solicit indications of interest prior to the filing of a registration statement under 32 M.R.S.A. §10404.

ANTICIPATED SCHEDULE: Prior to 6/98

AFFECTED PARTIES: Issuers considering offering securities in Maine in reliance on Regulation A or Rule 506 of Regulation D, as adopted by the United States Securities and Exchange Commission.

1997

REGULATORY AGENDA

**OFFICE OF
CONSUMER CREDIT
REGULATION**

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-030

Department of Professional & Financial Regulation
Office of Consumer Credit Regulation
William N. Lund, Director
35 State House Station
Augusta, ME 04333-0035

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA: None

CHAPTER 110: Bureau Organization, Administration and Procedure

STATUTORY AUTHORITY: 9-A M.R.S.A. § 6-104(4)(A); § 6-104(1)(E)

PURPOSE: This rule sets forth the basic organizational and procedural structure of the agency. Due to recent changes in the statutory framework of the agency, this rule will be revised to reflect those changes.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Consumers, non-bank lenders, general creditors and other regulated entities.

CHAPTER 120: Multiple of the Federal Minimum Wage

STATUTORY AUTHORITY: 9-A M.R.S.A. § 5-105(2)(C); § 6-104

PURPOSE: The dollar amounts may be updated to more closely reflect the current minimum wage.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Consumers, non-bank lenders, general creditors, and other regulated entities.

CHAPTER 140: Limited Coverage on Property Related to Credit Transactions

STATUTORY AUTHORITY: 9-A M.R.S.A. § 4-301(4); § 6-104

PURPOSE: Chapter 140 may be amended to facilitate the offering of various insurance products.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Consumers, non-bank lenders, general creditors, and other regulated entities.

CHAPTER 150: Authorization of Rate Tables to Determine Unearned Finance Charge

STATUTORY AUTHORITY: 9-A M.R.S.A. § 2-510(3)

PURPOSE: The Director is authorized to promulgate rate tables to assist creditors in determining appropriate refunds if consumers pay off precomputed credit contracts prior to the scheduled termination date. The agency may amend the regulation to make it applicable to a wider range of cases in which consumers make large partial prepayments in precomputed credit transactions.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Consumers, non-bank lenders, general creditors, and other regulated entities.

CHAPTER 180: Definition of Official Fees

STATUTORY AUTHORITY: 9-A M.R.S.A. § 6-104(1); §1-301(25)

PURPOSE: This rule defines what will be considered "official fees," excludable from the finance charge in the Maine consumer credit transactions. The office may review this regulation to determine whether it should be updated, or even repealed in deference to existing state and federal Truth-in-Lending laws.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Consumers, non-bank lenders, general creditors, and other regulated entities.

CHAPTER 190: Enforcement Policy Guidelines

STATUTORY AUTHORITY: 9-A M.R.S.A. § 8-108(3)

PURPOSE: The rule sets forth the procedures to be followed when violations of the Maine Consumer Credit Code or related laws are established following an examination, or in response to consumer complaints. As the agency utilizes this rule and weighs the costs to creditors of compliance against the benefits derived by consumers, it may amend the rule to make certain that penalties do not outweigh benefits. In addition, the state agency follows general guidelines and tolerances promulgated and established by various federal regulatory agencies, and as those federal standards change the State must be prepared to conform to the new standards.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Consumers, non-bank lenders, general creditors, and other regulated entities.

CHAPTER 200: Rule on Refinancing Multiple Transactions

STATUTORY AUTHORITY: 9-A M.R.S.A. § 6-104(1)(E)

PURPOSE: Chapter 200 may be repealed, due to changes in the underlying Consumer Credit Code provision (9-A M.R.S.A. § 2-504).

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Consumers, non-bank lenders, general creditors, and other regulated entities.

CHAPTER 220: Change in Dollar Amounts

STATUTORY AUTHORITY: 9-A M.R.S.A. § 1-106(4)

PURPOSE: The agency may propose to repeal Rule 220, if the Legislature adopts set dollar amounts for the Consumer Credit Code. This may ease regulatory burden.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Consumers, non-bank lenders, general creditors, and other regulated entities.

CHAPTER 240: Truth in Lending, Regulation Z-2

STATUTORY AUTHORITY: 9-A M.R.S.A. § 6-104, § 8-104, § 8-108

PURPOSE: Agency Rule 240 incorporates federal Regulation Z, "Truth-in-Lending," into state law. The terms of the State's exemption from the federal regulation require that the State retain the flexibility to amend its regulation to match changes on the federal level. This regulation determines how the true cost of credit and lending is disclosed to Maine consumers. It also incorporates Regulation M, Truth-in-Leasing. Although recently updated, the rule is always subject to further amendment to reflect changes in parallel federal regulations.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Consumers, non-bank lenders, general creditors, and other regulated entities.

CHAPTER 250: Alternative Mortgage Transactions

STATUTORY AUTHORITY: 9-A M.R.S.A. § 9-302

PURPOSE: Alternative mortgage transactions include adjustable rate and partially-amortizing mortgage loans. Rule 250 applies consumer protections to the offering of these loans. Many innovative products being offered in other parts of the country are not allowed under the current restrictions of Rule 250. A revised rule was recently issued jointly with the Maine Bureau of Banking. Both agencies remain prepared to reexamine the role in light of innovative new products which may be offered over the coming year.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Consumers, non-bank lenders, general creditors, and other regulated entities.

CHAPTER 300: Collection Agencies - Application and Record Keeping Requirements

STATUTORY AUTHORITY: 32 M.R.S.A. § 11034

PURPOSE: This rule sets forth requirements for those individuals and companies which wish to collect debts or repossess vehicles in Maine. The agency is constantly striving to find ways to clarify this rule, to ease regulatory burdens, while maintaining appropriate consumer protection.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Applicants for licensure to collect debts or repossess collateral.

CHAPTER 350: Credit Services Organization.

STATUTORY AUTHORITY: 9-A M.R.S.A. § 10-305

PURPOSE: Chapter 350 clarifies Article X of the Maine Consumer Credit Code, which regulates the activities of the Credit Services Organizations. These are inventive and mobile businesses, and the agency may propose amendments to the rule to address problems which may be encountered.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Loan brokers, and credit clinics, and their customers.

CHAPTER - : Sale of Insurance Products by Financial Institutions and Supervised Lenders.

STATUTORY AUTHORITY: 9-A M.R.S.A. § 4-407 (enacted 1997)

PURPOSE: This regulation, issued jointly by the Office of Consumer Credit Regulation, the Bureau of Banking and the Bureau of Insurance, will address issues regarding sales of insurance products by financial institutions.

ANTICIPATED SCHEDULE: Prior to December, 1997

AFFECTED PARTIES: Insurers, financial institutions, supervised lenders, and consumers.

CHAPTER - : Money Order Issuers/Money Transmitters/Check Cashers/Foreign
Currency Exchangers

STATUTORY AUTHORITY: 32 M.R.S.A. § 6125; § 6144

PURPOSE: The Legislature authorized appropriate, routine rulemaking to implement
the new 1997 statutory provisions relative to these financial companies.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Regulated companies; consumers.

1997

REGULATORY AGENDA

**BUREAU OF
INSURANCE**

MAINE BUREAU OF INSURANCE
RULEMAKING AGENDA
JULY 1997

This agenda supersedes all prior agendas. Some proposals may be combined.

WORKER'S COMPENSATION INSURANCE

1. Current Rule Chapter 250, Worker's Compensation Self-Insurance

Authority: 39-A MRSA §403

Purpose: to clarify standards applicable to usage of surety bonds in group self-insurance, to clarify application of MSIGA new member assessment and other miscellaneous changes.

Contemplated schedule: 1998

Potentially benefited parties: worker's compensation self-insurers

Potentially regulated parties; worker's compensation self-insurers

2. Current Rule Chapter 440, Worker's Compensation Residual Market

Authority: 24-A MRSA §§212 and 2386 and 1995 PL 289 §19(2)

Purpose: to respond to interest which has been expressed in altering the standards for performance of service carrier audits in order to recognize the run-off nature of the Residual Market Mechanism

Contemplated Schedule: Pending

Potentially benefited parties: Residual Market Mechanism and servicing carriers

Potentially regulated parties: Servicing carriers

3. Current Rule Chapter 450, Worker's Compensation Experience Rating

Authority: 24-A MRSA 2301, 2303 and 2364

Purpose: potentially to update status of the applicability of the regulatory process applicable to usage of revised loss reports by carriers

Contemplated Schedule: late summer-fall 1997

Potentially benefited parties; employers and worker's compensation insurers

Potentially regulated parties: worker's compensation insurers

4. Rule Chapter 460 Worker's Compensation Insurance Statistical Reporting

Authority: 24-A M.R.S.A. §§212, 2371, 2372

Purpose: to update statutory cross references and to respond to changes in the residual market mechanism

Contemplated Schedule: Late summer- 1997

Potentially benefited parties:

Potentially regulated parties:

5. Rule Chapter 470, Worker's Compensation Insurance Premium Audit and Adjustment

Authority: 24-A M.R.S.A. §§212, 2363

Purpose: to clarify the 120 day standard where there is employer agreement

Contemplated Schedule: Late 1997

Potentially benefitted parties: employers and worker's compensation insurers

Potentially regulated parties; worker's compensation insurers

6. Current Rule 530, Provisional Medical or Disability Insurance Payments to Worker's Compensation Claimants

Authority: 39-A MRSA §222

Purpose: to clarify applicability as to dependent's coverage as well as regarding the extent to which health insurer's may require claimant's to pursue their worker's compensation claims

Contemplated schedule: fall 1997

Potentially benefitted parties: injured workers

Potentially regulated parties: health carriers

7. Current Rule Chapter 550, Penalties for Failure to file Discounted Worker's Compensation Premium Rates

Authority: 24-A MRSA §212 and 2151-B

Purpose: to update statutory cross references

Contemplated Schedule: fall 1997

Potentially benefitted parties: none

Potentially regulated parties: none

8. Current Rule Chapter 560, Worker's Compensation Insurance; Employee Leasing Companies

Authority: 24-A MRSA §§212, 2178, 2364 and 2366 and 32 MRSA §14055(2)

Purpose: to update in light of change in form of worker's compensation residual market and experience under the rule since its' 1992 adoption

Contemplated Schedule: late fall 1997

Potentially benefitted parties: worker's compensation insurers, employee leasing companies and their clients

Potentially regulated parties: worker's compensation insurers and employee leasing companies

9. Current Rule Chapter 690, 24-Hour Coverage Pilot Projects

Authority: 39-A MRSA §403(2)

Purpose: to clarify the applicability of the program to ERISA plans.

Contemplated Schedule: Subject matter is now in litigation. No rulemaking will occur until litigation is concluded.

Potentially benefitted and regulated parties: insurers, employers and employees participating in 24 hour coverage pilot programs.

10. Current Rule Chapter 730, Standards for Acceptance of Reinsurance of Worker's Compensation Self-insurance

Authority: 24-A MRSA §212, 222, 410, 412, 413, 421, 422, and 731-B and 39-A MRSA §403

Purpose: to improve current rule by clarification of ambiguities and updating to reflect statutory change and other developments relating to regulation of worker's compensation selfinsurance

Contemplated Schedule: fall 1997

Potentially benefited and regulated parties: worker's compensation self-insurers and their reinsurers

LIFE AND HEALTH INSURANCE

11. Current Chapter 191, Health Maintenance Organizations

Authority: 24-A MRSA Chapter 56

Purpose: to make clarifications to miscellaneous issues which have arisen since 1996 adoption of rule

Contemplated Schedule: 1998

Potentially benefited parties: health maintenance organizations and their members

Potentially regulated parties; health maintenance organizations

12. Current Rule Chapter 220, Credit Life and Health Insurance

Authority: 24-A MRSA Chapter 37

Purpose: to amend current rule to clarify procedures for rate deviations and refund calculations and to specify what constitutes "premiums" for purposes of determining the maximum permissible commission level

Contemplated Schedule: 1998

Potentially benefited parties: consumers who purchase credit insurance

Potentially regulated parties: credit life and health insurers

13. Current Chapter 240, Life Insurance Solicitation and Cost Disclosure

Authority: 24-A MRSA §2152-A

Purpose: to update existing rule in light of developments since rule enactment in late 1970's.

Contemplated Schedule: fall 1997

Potentially benefited parties: life insurers, agents and consumers

Potentially regulated parties: life insurers and agents

14. Current Rule Chapter 330, Minimum Standards for Mental Illness Benefits

Authority: 24 M.R.S.A §2325-A, 24-A M.R.S.A. §§212 and 2843.

Purpose; to recognize a new federal law, (eff1/1/97) which impacts employee group plans of more than 50 programs.

Contemplated Schedule: fall 1997 and to be completed by 1/1/97

Potentially benefitted parties: covered persons under group health plans

Potentially regulated parties: health insurers

15. Current Rule Chapter 420, Nursing Home Care Insurance and Long Term Care Insurance

Authority: 24-A MRSA §§505 and 5053

Purpose: to update in light of recommendations of Rule Review Process, to update in light of NAIC Model Regulation requirements relating to nonforfeiture values and other standards and to make other miscellaneous changes.

Contemplated Schedule: currently pending; comments received suggest that further proceedings will be necessary; new proposal anticipated by fall

Potentially benefited parties: general public and long term care insurers and updates should encourage products to be more attractive and desirable

Potentially regulated parties: nursing home and long term care insurers

16. Current Rule Chapter 480, High Risk Insurance Organization Notice Requirements

Authority: Repealed

Proposal: to repeal the rule which relates to an underlying program which has been discontinued

Contemplated Schedule: Repeal by Sept. 1, 1997

Potentially benefited and regulated parties: None

17. Current Rule Chapter 490, AIDS and Medical and Lifestyles Standards

Authority: 5 MRSA §19203-A, 24 MRSA §2316, 24-A MRSA §§2151-B, 2152, 2159 and 2412

Purpose: to update, as necessary, to reflect applicability to newly recognized and/or utilized testing procedures relating to AIDS.

Contemplated schedule: Year-end 1997

Potentially benefited parties: applicants for life and health insurance; life and health insurers, nonprofit hospital and medical service organizations, health maintenance organizations

Potentially regulated parties: life and health insurers, nonprofit hospital and medical service organizations, health maintenance organizations

18. Current Rule Chapter 600, Screening Mammograms

Authority: 24 MRSA §2320-A and 24-A MRSA §2745-A and 2837-A

Purpose: to amend the rule to reflect that its applicability to Medicare supplement insurance has been preempted by federal law

Schedule: July 1997

Potentially benefited parties: none

Potentially regulated parties: health carriers

19. Current Rule Chapter 750, Standardized Health Plans

Authority: 24 MRSA §§2301 (8-A) and 2327-A and 24-A MRSA §§212, 2736-C(8), 2808-B(8), 4204(2-A), 4222(4) and 6603(1)

Purpose: pursuant to Rule Review Process recommendations, to amend the rule to make it more compatible to health maintenance organizations while retaining the protections provided to covered persons; to address questions relating to commissions and applications.

Contemplated schedule: early fall 1997

Potentially benefited parties; health maintenance organizations

Potentially regulated parties; health carriers

20. Physician Self-referral

Authority: 22 MRSA §2081 et seq.

Purpose: to establish standards for the payment of insurance claims when providers have referred patients to facilities in which they have a financial interest.

Contemplated schedule: summer 1997

Potentially benefited parties: health insurance rate payers

Potentially regulated parties: physicians

21. Employee Benefit Excess Insurance

Authority: 24-A MRSA §§212 and 707(3)

Purpose: to establish a standard for the determination of whether an insurance policy should be treated as a health insurance policy or a stop loss insurance policy for regulatory purposes and address other regulatory issues related to regulated entities which do business with self-funded and partially self-funded health plans.

Contemplated schedule: 1998

Potentially benefited parties; health insurance buying public

Potentially regulated parties: health insurers and excess insurers

22. Coordination of Benefits

Authority: 24 MRSA §2332-A and 24-A MRSA §2844

Purpose; to establish standards for priority of payments when benefits under more than one health insurance policy are to be reduced by other coverage in force.

Contemplated schedule: 1998

Potentially benefited parties: health insurance purchasers

Potentially regulated parties: health carriers

23. Individual Health Insurance Rate Filings

Authority: 24 MRSA §2321 and 24-A MRSA §212, 2413 and 2736

Purpose: 91) to assure, to the fullest extent possible, that premiums are reasonable, equitable and adequate; (2) to provide for regular monitoring and corrective action by insurers to assure that premiums are neither excessive relative to experience nor deficient; and (3) to facilitate prompt and efficient processed with respect to rate filings.

Contemplated schedule: 1998

Potentially benefited parties: individual health insurance policyholders

Potentially regulated parties: health carriers

24. Acceleration of Life Insurance and Annuity Benefits

Authority: 24-A MRSA §2555

Purpose: to provide for the full and fair disclosure of information in connection with the sale of life insurance policies which provide for the acceleration of life insurance or

annuity benefits to persons confined in certain nursing facilities and to establish standards for the content of such policies

Contemplated schedule: as time permits

Potentially benefitted parties: purchasers of life insurance or annuities

Potentially regulated parties: life insurers and agents

25. Employee Leasing Companies; Uninsured Employee Benefit Plans

Authority: 24-A M.R.S. A. §§212 and 6616

Purpose: to set forth the licensing process and clarify the standards applicable to employee leasing companies which provide health benefits to workers on an uninsured basis.

Contemplated schedule: 1998

Potentially benefitted parties: clients and employees of employee leasing companies

Potentially regulated parties: employee leasing companies

26. Nonprofit Hospital and Medical Service Organizations; Working Capital Standards for Health Insurance Affiliates

Authority: 24 M.R.S.A. §2308-A, sub-§8 and 24-A M.R.S.A. §212

Purpose: to establish maximum levels of working capital which may be held by affiliates of nonprofit hospital or medical service organizations with available funds above such levels required to be repatriated to ownership interests of such affiliates

Contemplated Schedule late 1997

Potentially benefitted parties: Blue Cross/Blue Shield of Maine members

Potentially regulated parties: Health insurers or HMOs affiliated with Blue Cross/Blue Shield of Maine

27. Nonprofit Hospital and Medical Service Organizations; Reserve Levels

Authority: 24 M.R.S.A. §2321-B

Purpose: to establish a standard for the appropriate level of subscriber reserves to be held by nonprofit hospital and medical service organizations

Contemplated Schedule: late 1997

Potentially benefitted parties: Blue Cross/Blue Shield of Maine members

Potentially regulated parties: Blue Cross/Blue Shield of Maine

28. Group Health Insurance; Preexisting Conditions

Authority: 24-A M.R.S.A. §§ 212 and 2849, sub-§6

Purpose: to substitute for the requirement of 24-A M.R.S.A. §2849(3)(C) a requirement that prohibits application of a preexisting condition or waiting period with respect to classes or categories of benefits that are covered under a replaced contract or policy, such rules to be consistent with the federal Public Health Service Act, Title XXVII, Section 2710(c)(3)(B).

Contemplated schedule: fall 1997 and to be completed by Jan. 1, 1997

Potentially benefitted parties: insureds and potential insureds

Potentially regulated parties: health carriers

PROPERTY AND CASUALTY INSURANCE

29. Current Chapter 150, Automobile Policy Liability Endorsement

Authority: 24-A MRSA §212

Purpose: to repeal or provide clarifying amendment to current rule pursuant to recommendation of Rule Review process

Contemplated Schedule: summer-fall 1997

Potentially benefited parties: automobile insurers

Potentially regulated parties: automobile insurers

30. Current Rule Chapter 390, Motor Vehicle Identification Cards

Authority: 24-A MRSA §2412

Purpose: to implement recommendations of Rule Review Process

Contemplated Schedule: summer-fall 1997

Potentially benefited parties; automobile insurers and those persons who drive in Canada

Potentially regulated parties: automobile insurers

31. Concealment, Misrepresentations and Fraud

Authority: 24-A MRSA §212, 2411, 2908, 2914, 3002, 3007 and 3049

Purpose: to resolve confusion that has arisen within the insurance industry regarding the interaction of various provisions of the Insurance Code which relate to the termination of insurance by property and casualty insurers due to concealment, material misrepresentations and/or fraudulent statements or conduct by insureds

Contemplated schedule: not currently scheduled; project is conceptual only at this time

Potentially benefited parties: property/casualty insurers and policyholders

Potentially regulated parties: property/casualty insurers

32. Commissions on Large, Commercial Property/Casualty Insurance Risks

Authority: 24-A M.R.S.A 421 §§ 212, 1450

Purpose: Statute provides that producers of large, commercial property and insurance risks may be compensated by fees paid by or on behalf of the insured, by commissions paid by an insurer or by a combination of both. Rulemaking is authorized to establish standards with respect to what constitutes a large, commercial risk.

Contemplated schedule: Fall 1997

Potentially benefited parties: Larger businesses

Potentially regulated parties: insurers

MISCELLANEOUS

33. Current Chapter 230, Requirements for a Certificate of Authority

Authority: 24-A MRSA §212

Purpose: to implement clarifying changes recommended during Rule Review Process

Contemplated Schedule: 1998

Potentially benefited parties: applicants for authority to transact insurance

Potentially regulated parties: applicants for authority to transact insurance

34. Current Rule Chapter 350, Rules of Practice for Adjudicatory Proceedings

Authority: 5 MRSA §8051

Purpose: to update Rule in light of its practical effectiveness during the 10 years it has been in force.

Contemplated schedule: as time permits in 1997-98

Potentially benefited and regulated parties: attorneys and others who participate in adjudicatory proceedings before the Bureau of Insurance

35. Current Rule Chapter 540, Continuing Education Requirements

Authority: 24-A MRSA §§1483, 1485

Purpose: to implement clarifying amendments recommended during rules review process regarding courses qualifying for continuing education credit

Contemplated Schedule: 1998

Potentially benefited parties: agents, brokers, course vendors

Potentially regulated parties: agents, brokers, course vendors

36. Alien Insurers; Port of Entry Requirements:

Authority: 24-A MRSA §413-A

Purpose: to implement new statutory requirement to establish, by rule, the terms and conditions of port of entry authorization

Contemplated schedule: September hearing

Potentially benefited parties: alien insurers

Potentially regulated parties: alien insurers

37. Advisory Rulings

Authority: 5 MRSA §9001(4) and 24-A MRSA §212

Purpose: to prescribe the procedure for submission, consideration and disposition of requests for advisory rulings

Contemplated Schedule: as time permits

Potentially benefited and regulated parties: persons seeking advisory rulings

38. Complaint Ratios

Authority: 24-A M.R.S.A. §§212 and 216(2)

Purpose: to define the method for calculating ratios of complaints against insurers

Contemplated schedule: This is major substantive rulemaking. Provisional rulemaking to be completed by January 1, 1998.

Potentially benefited parties: insurance consumers

Potentially regulated parties: insurers

39. Insurance Sales by Lenders

Authority: 24-A M.R.S.A. §§212, 212-A and 1514-A, sub-§5

Purpose: To establish consumer safeguards and other standards relating to the sale of insurance by financial institutions, financial institution holding companies, credit unions and supervised lenders. The rules will address issues relating to signage, the physical location of sales of insurance and the identity of insurance agents and brokers affiliated with those lenders.

Contemplated Schedule: this is tripartite rulemaking to be conducted in conjunction with the Superintendent of Banking and the Director of the Office of Consumer Credit Protection. It is to be conducted in the summer of 1997.

Potentially benefitted parties: borrowers and insurance consumers

Potentially regulated parties: financial institutions, financial institution holding companies, credit unions, supervised lenders, insurers and insurance agents

40. Captive Insurers

Authority: 24-A M.R.S.A. §§212 and 6718

Purpose: to implement newly enacted statutory scheme authorizing captive insurers

Contemplated Schedule: as determined necessary

Potentially benefitted parties: businesses who wish to form captive insurers

Potentially regulated parties: captive insurers and those who would form them.

1997

REGULATORY AGENDA

**OFFICE OF
LICENSING AND
REGISTRATION**

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-280

Department of Professional and Financial Regulation
Office of Licensing & Registration
Board of Accountancy
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:

None

CHAPTERS:

- 1 General Provisions and Definitions
- 2 Board Structure and Organization
- 3 Certified Public Accountants
- 4 Public Accountants
- 5 Permits to Practice, Individual
- 6 Permits to Practice, Firms
- 7 Hearings, Reviews, and Complaints
- 8 Rules of Professional Conduct

STATUTORY AUTHORITY: 32 MRSA §12214

PURPOSE: The Board intends to review and revise its rules to ensure clarity and conformity with the enabling statute by clarifying the requirements for examination and permits to practice to Certified Public Accountants.

ANTICIPATED SCHEDULE: Prior to July, 1988

AFFECTED PARTIES: The general public and licensees.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-287

Department of Professional and Financial Regulation
Office of Licensing & Registration
Arborist Examining Board
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:

None.

CHAPTERS:

- 1 Definitions
- 2 Licensing
- 3 Standards of Practice
- 4 Enforcement and Disciplinary Procedures

STATUTORY AUTHORITY: 32 MRSA §2002

PURPOSE: To establish rules to clarify existing language that would address definitions, give credit for educational requirements; re-examine all fees to assure that the Board's operational needs are met; and, any other changes that may be necessary for continuing the operation of the Board.

ANTICIPATED SCHEDULE: Prior to July, 1998.

AFFECTED PARTIES: The general public and licensees.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-371

Department of Professional and Financial Regulation
Office of Licensing & Registration
Board of Alcohol and Drug Counselors
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:

NONE

CHAPTERS:

- 1 Eligibility, Testing, Educational, Work Experience, Application, Reciprocity, and Fee Requirements
- 2 Continuing Professional Education
- 3 Appeals and Disciplinary Procedures
- 4 Complaint Handling
- 5 Advisory Rulings
- 6 Code of Ethics

STATUTORY AUTHORITY: 32 MRSA §6212

PURPOSE: The titles of the chapters noted above do not reflect the actual content of each. The board may revise the titles to reflect the contents of each more clearly as well as to insure conformity with current laws, correctness of language and consistency with standards.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensees and the public.

MAINE ADMINISTRATIVE PROCEDURE ACT
1997 Regulatory Agenda

02-288

Department of Professional & Financial Regulation
Office of Licensing & Registration
Board of Licensure of Architects, Landscape Architects and Interior Designers
35 State House Station
Augusta, ME 04333

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA: None

CHAPTER 1: Board Administration

STATUTORY AUTHORITY: 32 M.R.S.A. §214(1)

PURPOSE: Minor adjustments may be made as found necessary to improve the Board's efficiency and effectiveness.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensees and the public.

CHAPTER 2: Rules for Architects, Landscape Architects and Interior Designers

STATUTORY AUTHORITY: 32 M.R.S.A. §214(1)

PURPOSE: Section 1 may be repealed as the address for the Board has changed, and it would appear that such a provision in the form of a rule is unnecessary. Section 7 may need to be amended to require interior designers to pay an application fee and it may be necessary to repeal the reference to an exam fee, by section, for architect candidates since the fee is not currently paid by the board. Section 8 may be amended to allow licensees to seal documents electronically and the Board may need to clarify the term 'broadly experienced' as set forth by Section 2(A)(3).

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensees and license applicants.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-035

Department of Professional and Financial Regulation
Office of Licensing & Registration
Maine Athletic Commission
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:

None.

CHAPTERS:

110 Wrestling
210 Kickboxing
510 Boxing Information
520 Promoters
530 Boxing Contests
540 Boxers
550 Referees
560 Judges
570 Timekeepers
580 Knockdown Timekeepers
590 Managers and Seconds
600 Physicians

STATUTORY AUTHORITY: 32 MRSA §13507

PURPOSE: To repeal and replace its rules to better define boxing, wrestling and kickboxing; establish requirements for the medical advisory committee; restructure the fee schedule for promoters and set new schedules for all other license categories. Secondly, the rules would revise the advance bond requirements to ensure tax payment from promoters; and, any other changes that may be necessary for continuing the operation of the Commission.

ANTICIPATED SCHEDULE: Prior to July, 1998.

AFFECTED PARTIES: The general public and licensees.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-302

Department of Professional & Financial Regulation
Office of Licensing & Registration
Board of Licensing of Auctioneers
35 State House Station
Augusta, ME 04333

EMERGENCY RULES ADOPTED SINCE LAST REGULATORY AGENDA: None

CHAPTER 1: Definitions

STATUTORY AUTHORITY: 32 M.R.S.A. §271

PURPOSE: The Board may need to amend the rule to reflect changes in practice.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensed auctioneers.

CHAPTER 2: Board Practice

STATUTORY AUTHORITY: 32 M.R.S.A. §271

PURPOSE: The Board may need to amend the application process to ensure a timely and efficient review of applications and/or investigations and hearings.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensed auctioneers.

CHAPTER 3: Technical Standards of Practice

STATUTORY AUTHORITY: 32 M.R.S.A. §271

PURPOSE: The Board may need to amend the rule as changes in the business demand reasonable standards be established to safeguard the public interest.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensed auctioneers and the public.

CHAPTER 4: Standards of Professional Ethics

STATUTORY AUTHORITY: 32 M.R.S.A. §271

PURPOSE: The Board may amend the rule as changes in practice demand.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensed auctioneers and the public.

CHAPTER 5: Unprofessional Conduct

STATUTORY AUTHORITY: 32 M.R.S.A. §271

PURPOSE: The Board may need to clarify or adopt a standard should the current list not address conduct that would otherwise result in disciplinary action by the Board.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensed auctioneers.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-265

Department of Professional and Financial Regulation
Office of Licensing & Registration
Board of Barbering and Cosmetology
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:

NONE

CHAPTER 1: General Information

STATUTORY AUTHORITY: 32 MRSA §14212

PURPOSE: This rule establishes guidelines relating to meetings, examinations, advisory rulings, complaints, maintenance of records, and fees. This chapter may be amended to remove outdated language and processes as well as further clarify the areas pertaining to citations and fines. Since the last effective date of this chapter, examinations have been modified that amending these rules to reflect new processes. Certain fees may be reduced.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensees and the public.

CHAPTER 2: Rules Relating to Cosmetologists, Barber, Aesthetician, and Manicurist Trainee.

STATUTORY AUTHORITY: 32 MRSA §14212

PURPOSE: These rules establish the requirements for eligibility, training, examination and licensing of cosmetologists, manicurists, aestheticians, and barber trainees. The rules may be reviewed and amended to reflect new procedures in place for applicants applying for examination. The rules will also be reviewed to insure clarity and conformance with current laws.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensees and the public.

CHAPTER 3: Establishments, Booths where Cosmetology, Barbering, Aesthetics, Manicuring is Practiced.

STATUTORY AUTHORITY: 32 MRSA §14212

PURPOSE: These rules pertain to the construction and safety of establishments; sanitary standards; licensing requirements; and use of appliances, apparatus and electrical and non electrical machines used in connection with the practice licensed. This chapter will be reviewed to insure clarity and conformance with current laws. The areas regarding sanitation and safe practice will also be reviewed and updated.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensees and the public.

CHAPTER 4: Rules for Certifying Barber and Cosmetology Instructors

STATUTORY AUTHORITY: 32 MRSA §14212

PURPOSE: These rules establish the requirements for the examination and licensing of Barber and Cosmetology Instructors. These rules will be reviewed to insure clarity and conformance with current laws. The section on examinations will be amended to reflect new examination procedures as well as to conduct a review on the qualifications for licensure.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensees and the public.

CHAPTER 5: New Chapter

STATUTORY AUTHORITY: 32 MRSA §14247

PURPOSE: During the 118th session, the Legislature returned the regulatory and licensing authority of barbering and cosmetology schools from the Department of Education to the Maine Board of Barbering and Cosmetology. The board is required to adopt rules for the licensing of persons, partnerships, associations or corporations to maintain and operate schools. These rules are expected to set reasonable standards relating to educational programs, instructor qualifications, records and record keeping, health and sanitation, safety and physical facilities.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensees and the public.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-174

Department of Professional and Financial Regulation
Office of Licensing & Registration
Board of Boiler Rules
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:

None.

CHAPTERS:

- 1 Procedural Rules
- 2 General Rules Governing Boilers of All Types
- 3 Power Boilers
- 4 Miniature Boilers
- 5 Organic Boilers
- 6 Welding
- 7 Low Pressure Boilers
- 8 Engineers and Boiler Operators

STATUTORY AUTHORITY: 32 MRSA §15104

PURPOSE: To repeal and replace its rules to better outline the installation, maintenance, operation, use and inspection requirements for boilers and pressure vessels in the State of Maine; to outline the licensing requirements for welders, boiler inspectors, boiler engineers and operators, and stationary steam engineers; to set forth fees to be charged by the Board; and to outline the requirements for the procedures to conduct hearings, reviews and complaints.

ANTICIPATED SCHEDULE: Prior to July, 1998.

AFFECTED PARTIES: The general public and licensees.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-041

Department of Professional and Financial Regulation
Office of Licensing & Registration
Charitable Solicitations Act
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA: None

CHAPTER 1: Registration Statements and Financial Reports made Pursuant to the
Maine Charitable Solicitations Act.

STATUTORY AUTHORITY: 9 M.R.S.A., Chapter 385

PURPOSE: Chapter 1 will be revised to clarify the requirements for filing of
financial reports of fund-raising campaigns by the charitable organizations that employ
fund-raising counsel, professional solicitors or commercial coventures; require that
current bonds be retained as part of the record for three years after the expiration or
non-renewal of registration; change the expiration date of the licenses to allow the filing
of financial reports at the time of renewal; make minor technical and grammatical
changes.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Registered Charitable Organizations, Professional Solicitors,
Professional Fund-Raising Counsel.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-297

Department of Professional and Financial Regulation
Office of Licensing & Registration
Board of Chiropractic Examiners
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:

NONE

CHAPTER

- 1 Rules for Chiropractors
- 2 Rules for Chiropractors
- 3 Rules for Chiropractors
- 4 Rules for Chiropractic Assistants
- 5 Code of Ethics

STATUTORY AUTHORITY: 32 MRSA §502

PURPOSE: The titles of the chapters noted above do not reflect the actual content of each rule. The board may amend the titles and content of these rules for clarification as well as to insure conformity with current laws, correctness of language and consistency with standards. The rules may also be modified to conform with new examination requirements and procedures.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensees and the public.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-502

Department of Professional and Financial Regulation
Office of Licensing & Registration
Board of Complementary Health Care Practitioners
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:

NONE

CHAPTERS 1 to 9 have been proposed and are currently awaiting public hearing and adoption.

Chapter 1 Definitions

Chapter 2 General Provisions

Chapter 3 Licensure Requirement for Acupuncturists

Chapter 4 Licensure Requirement for Naturopathic Doctors

Chapter 5 Standards for Continuing Professional Education for Acupuncturists
and Naturopathic Doctors.

Chapter 6 Standards Relating to Prescriptive Authorities and Collaborative
Relationships

Chapter 7 Enforcement and Disciplinary Procedures

Chapter 8 Code of Ethics

Chapter 9 Fees

STATUTORY AUTHORITY: 32 MRSA §12503

PURPOSE: This board was formerly the Acupuncture Board. The newly established board, Board of Complementary Health Care Providers, which licenses acupuncturists and naturopathic doctors became effective on July 5, 1996. The board is currently in the process of proposing and adopting rules. All rules from Chapter 1 to 9 may be revisited in the event that minor modifications are required.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensees and the public.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-514

Department of Professional and Financial Regulation
Office of Licensing & Registration
Board of Counseling Professionals Licensure
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA: None.

CHAPTER:

- Chapter 1. General
- Chapter 2. Licensure Requirements and Examination Procedure
- Chapter 3. Registration Requirements
- Chapter 4. Conditional License
- Chapter 5. Licensure by Comity
- Chapter 6. Application Procedure
- Chapter 7. Renewal of Licensure
- Chapter 8. Standards of Practice
- Chapter 9. Fees
- Chapter 10. Enforcement and Disciplinary Procedure

STATUTORY AUTHORITY: Title 32 M.R.S.A., Chapter 119.

PURPOSE: The rule will be amended to establish consistency of meaning for terms used in the context of counseling work, to enable applicants and licensees to have a common understanding of requirements, to clarify the criteria for licensure and supervision at all levels, to articulate the parameters contemplated within "standards of practice" and to clarify the grounds for any disciplinary action. Additionally, the changes proposed will: (1) Add new definitions, as appropriate, and clarify existing definitions; (2) Update requirements for licensure to reflect course content and training; (3) Require submission of a disclosure statement for registration purposes; and (4) Revise language to be consistent with current usage.

ANTICIPATED SCHEDULE: Prior to July, 1998.

AFFECTED PARTIES: Consumers, applicants for licensure and existing licensees.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-344

Department of Professional and Financial Regulation
Office of Licensing & Registration
Board of Licensing of Dietetic Practice
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA: None

CHAPTER:

Chapter 1. General Information
Chapter 2. Rules for Licensing of Dietetic Practice
Chapter 3. Complaints and Investigation
Chapter 4. Code of Ethics

STATUTORY AUTHORITY: Title 32 M.R.S.A., Chapter 105:

PURPOSE: As amended, this rule will: (1) Establish guidelines relating to meetings, records and advisory rulings; (2) Outline the rules regarding licensure in dietetic practice, including educational and examination requirements, application and licensing procedures, fees and continuing education; (3) Describe the procedure by which complaints and investigations will be handled by the Board; and (4) Set forth rules regarding the code of ethics for licensed dietitians.

ANTICIPATED SCHEDULE: Prior to July, 1998.

AFFECTED PARTIES: Consumers, applicants for licensure and existing licensees.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-318

Department of Professional and Financial Regulation
Office of Licensing & Registration
Electricians' Examining Board
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:

None.

CHAPTERS:

100 General Provisions
110 Conflict of Interest
120 Electrical Installation Standards
130 Licensing Application Procedure
140 Examinations
150 Board Fees
160 Licenses
170 License Renewals
180 Complaint Handling
190 Adjudicatory Hearings

STATUTORY AUTHORITY: 32 MRSA §1153

PURPOSE: The Board intends to review and revise its rules to ensure clarity and conformity with the enabling statute by clarifying the requirements for examination and licensure of electricians.

ANTICIPATED SCHEDULE: Prior to July, 1998.

AFFECTED PARTIES: The general public and licensees.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-386

Department of Professional and Financial Regulation
Office of Licensing & Registration
Board of Elevator & Tramway Safety
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:

None.

CHAPTERS:

- 1 Procedural Rules
- 3 Rules for All Elevators, Manlifts and Escalators
- 4 Rules for New Elevator Installations
- 5 Rules Governing The Licensing of Elevator Inspectors
- 6 Rules for Existing Installations
- 8 Rules for Escalator Installations
- 10 Rules for Manlift Installations
- 12 Tramway Rules
- 13 Vertical Lifts for Use by People with Disabilities
- 14 Inclined Lifts for Use by the Handicapped/Disabled

STATUTORY AUTHORITY: 32 MRSA §15206

PURPOSE: To repeal and replace its complete rules to better outline the installation, maintenance, operation, use and inspection requirements for elevators and tramways in the State of Maine. To outline the licensing requirements for elevator inspectors, tramway inspectors, wire rope inspectors, and elevator mechanics. To set forth fees to be charged by the Board. To outline the requirements for the procedures to conduct hearings, reviews and complaints.

ANTICIPATED SCHEDULE: Prior to July, 1998.

AFFECTED PARTIES: The general public and licensees.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-333

Department of Professional & Financial Regulation
Office of Licensing & Registration
Board of Licensure for Professional Foresters
35 State House Station
Augusta, ME 04333

EMERGENCY RULES ADOPTED SINCE LAST REGULATORY AGENDA: None

CHAPTER 1: General Provisions

STATUTORY AUTHORITY: 32 M.R.S.A. §5009(2)

PURPOSE: Amendments may be made as found necessary to improve the Board's efficiency and effectiveness.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensed foresters and license applicants.

CHAPTER 4: Advisory Rulings

STATUTORY AUTHORITY: 32 M.R.S.A. §5009(2)

PURPOSE: Amendments may be necessary to reflect the changes in the administrative support serving the Board.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensed foresters.

CHAPTER 5: General Requirements for Licensure

STATUTORY AUTHORITY: 32 M.R.S.A. §5009(2)

PURPOSE: The Board may need to amend the qualification rule to ensure that the standards set by statute (§5012) are interpreted clearly by the rule. Amendments to the continuing education section may be necessary after review of the first year of implementation.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensed foresters and license applicants.

CHAPTER 6: Ethics and Standards of Professional Conduct

STATUTORY AUTHORITY: 32 M.R.S.A. §5009(2)

PURPOSE: Amendments may be necessary to include standards that evolve from changes in the profession.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensed foresters and the public.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-331

Department of Professional and Financial Regulation
Office of Licensing & Registration
Board of Funeral Service
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA: None.

CHAPTER:

- Chapter 1. Definitions
- Chapter 2. Meetings of the Board
- Chapter 3. Educational Requirements
- Chapter 4. Examination
- Chapter 5. Practitioner Trainee
- Chapter 6. Reciprocal Agreements
- Chapter 7. Funeral Establishments
- Chapter 8. Safety and Health Standards
- Chapter 9. Complaints
- Chapter 10. Fees
- Chapter 11. General Rules
- Chapter 12. Continuing Education Requirement
- Chapter 13. Inactive Status
- Chapter 14. Transportation of Human Remains
- Chapter 15. Disinterment
- Chapter 16. Storage
- Chapter 17. Code of Ethics

STATUTORY AUTHORITY: Title 32 M.R.S.A., Chapter 21

PURPOSE: Rule amendments will be intended to delineate the scope of acceptable practices with respect to licensure requirements.

ANTICIPATED SCHEDULE: Prior to July, 1998.

AFFECTED PARTIES: Consumers, licensees and persons engaged in the businesses of interment.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-070

Department of Professional and Financial Regulation
Office of Licensing & Registration
State Board of Certification for Geologists and Soil Scientists
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:

None.

CHAPTERS:

- 1 Review of Applications for Certification
- 2 Requests for Advisory Rulings
- 3 Code of Ethics

STATUTORY AUTHORITY: 32 MRSA §4908

PURPOSE: The Board intends to review and revise its rules to ensure clarity and conformity with the enabling statute by clarifying the requirements for examination and licensure of geologists and soil scientists.

ANTICIPATED SCHEDULE: Prior to July, 1998.

AFFECTED PARTIES: The general public and licensees.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-164

Department of Professional and Financial Regulation
Office of Licensing & Registration
Board of Hearing Aid Dealers and Fitters
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA: None.

CHAPTER:

Chapter 1. General Provisions
Chapter 2. Licensing Procedure
Chapter 3. Application and Examination Process
Chapter 4. Complaints
Chapter 5. License Renewal
Chapter 6. Calibration Standards
Chapter 7. Code of Ethics

STATUTORY AUTHORITY: Title 32 M.R.S.A., Chapter 23-A

PURPOSE: These amendments will clarify the impact of recently-enacted legislation (Chapter 156, PL'97).

ANTICIPATED SCHEDULE: Prior to July, 1998.

AFFECTED PARTIES: Retailers of hearing aids, applicants, trainees and licensees.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-360

Department of Professional & Financial Regulation
Board of Licensure for Professional Land Surveyors
35 State House Station
Augusta, ME 04333

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA: None

CHAPTER 1: Definitions

STATUTORY AUTHORITY: 32 M.R.S.A. §13903(2)

PURPOSE: Adoption of amendment of existing rules may require the adoption or repeal of terms currently defined.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensees and the public.

CHAPTER 2: Board Practice

STATUTORY AUTHORITY: 32 M.R.S.A. §13903(2).

PURPOSE: Minor amendments may be made as found necessary to improve the Board's efficiency and effectiveness.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensees and the public.

CHAPTER 3: Requirements for Licensure

STATUTORY AUTHORITY: 32 M.R.S.A. §13903(2).

PURPOSE: To accommodate the electronic rule conversion process, it will be necessary to amend Section 7 to describe the size and design of the required seal. The Board may adopt a fee to cover the costs of proctoring examinations for applicants from other states.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensees.

CHAPTER 4: Professional Development

STATUTORY AUTHORITY: 32 M.R.S.A. §13903(2)

PURPOSE: The Board may establish a 'retired' licensee category, if so, license procedures would need to be adopted to establish and maintain that type of license.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensees

CHAPTER 5: Standards of Professional Ethics

STATUTORY AUTHORITY: 32 M.R.S.A. §13903(2)

PURPOSE: Standards of professional ethics evolve with the changes in the profession and, as such, may be amended to address those changes.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensees and the public.

CHAPTER 6: Technical Standards of Practice

STATUTORY AUTHORITY: 32 M.R.S.A. §13903(2)

PURPOSE: Societal demands and/or technological changes may require adoption of and/or amendment to a technical standard practice.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensees and the public.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-385

Department of Professional & Financial Regulation
Office of Licensing and Registration
Manufactured Housing Board
Patrick S. Ouillette, Executive Director
35 State House Station
Augusta, ME 04333-0035

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA: None.

CHAPTER 381: Regulations for Licensing Manufacturers, Dealers and Mechanics -
Notice of Installation

STATUTORY AUTHORITY: 10 M.R.S.A., Chapter 951, Subchapter I, § 9006-C

PURPOSE: To eliminate the requirement under the current rules for an installer of manufactured homes to file monthly installation reports and the \$10 fee for each unit installed. Instead of the monthly reporting, the Board would require the installer to affix an installer's warranty seal to each manufactured home installed in the State at a cost of \$25 per seal. The installer's warranty seal will contain all the information which is currently available on the monthly installation report. This would eliminate duplicative record keeping by installers but yet provide the Board and its staff with valuable information while conducting on-site inspections.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Installers of manufactured homes.

CHAPTER 900: State of Maine Manufactured Home Installation Standard

STATUTORY AUTHORITY: 10 M.R.S.A., Chapter 951, Subchapter I, § 9006

PURPOSE: To clarify the instances where homes built for wind zone II are required to be installed; the circumstances under which a manufactured home site is exempt from certain or all Board installation standards; when and under what circumstances anchoring is required; and under what circumstances a concrete slab is required for the installation of double-wide homes. The rule will further specify the conditions for which a ground cover is required and to make the installation of skirting mandatory.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Installers of manufactured homes

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-041

Department of Professional and Financial Regulation
Office of Licensing & Registration
Massage Therapists Registration
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA: None

STATUTORY AUTHORITY: 32 M.R.S.A., Chapter 127

PURPOSE: To develop department rules to amplify statutory definitions and requirements applicable to massage therapists and massage practitioners. This new chapter will include rules on certification requirements, exemptions from registration requirements, and reciprocity provisions.

ANTICIPATED SCHEDULE: Prior to July, 1998

AFFECTED PARTIES: Certified Massage Therapists, Registered Massage Practitioners, general public.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-371

Department of Professional and Financial Regulation
Office of Licensing & Registration
Nursing Home Administrators Licensing Board
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA: None.

CHAPTER:

- Chapter 1. Definitions
- Chapter 2. Administrator-in-Training Program
- Chapter 3. Examination
- Chapter 4. Continuing Education
- Chapter 5. Licensing
- Chapter 6. Endorsement
- Chapter 7. Temporary Licenses
- Chapter 8. Disciplinary Action Against Licensees
- Chapter 9. Advisory Rulings
- Chapter 10. Fees

STATUTORY AUTHORITY: Title 32 M.R.S.A., Chapter 2

PURPOSE: These amendments will make the rules of the Nursing Home Administrators Licensing Board for the licensure of Administrators of certain Residential Care Facilities comport with those being promulgated by the Department of Human Services, to be applicable to the Facilities themselves.

ANTICIPATED SCHEDULE: Prior to July, 1998.

AFFECTED PARTIES: Applicants for licensure and some existing licensees.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-477

Department of Professional and Financial Regulation
Office of Licensing & Registration
Board of Occupational Therapy Practice
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA: None.

CHAPTER:

Chapter 1. Rules and Regulations

Chapter 2. Continuing Professional Education Requirements for Renewal of Licensure
in Occupational Therapy

STATUTORY AUTHORITY: Title 32 M.R.S.A., Chapter 32

PURPOSE: These amendments will clarify recently-enacted legislation (Chapter 212
and 294, PL '97).

ANTICIPATED SCHEDULE: Prior to July, 1998.

AFFECTED PARTIES: Applicants for licensure.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-328

Department of Professional and Financial Regulation
Office of Licensing & Registration
Oil and Solid Fuel Board
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:

None.

CHAPTERS:

- 110 Licensing Provisions
- 120 Modification of Standards
- 130 The Registration of Manufacturers and Importers of Equipment
- 140 Standards for the Installation of Oil Burning Equipment
- 150 Other Equipment Specifications and Standards
- 160 Standards for the Installation of Solid Fuel Burning Equipment
- 170 Special Conditions for Installation of Oil Fired Equipment in Parking, Repair & Residential Garages
- 180 Safety Controls
- 190 Enforcement and Disciplinary Procedures
- 200 Rules of Practice

STATUTORY AUTHORITY: 32 MRSA § 2353

PURPOSE: To repeal and replace the current rules to clarify existing statutory language to standardize the fee structure; change the licensing requirements for apprentices; restrict the unsupervised work of an apprentice; add the legal definitions for an Apprentice and Master Solid Fuel Technician, Master and Journeyman Oil Burner Technician; create a new chapter to set standards for Chimneys and Fireplace Installers; and allow the Board to make any other necessary changes to the language in the existing rules.

ANTICIPATED SCHEDULE: Prior to July, 1998.

AFFECTED PARTIES: The general public and licensees.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-392

Department of Professional and Financial Regulation
Office of Licensing & Registration
Board of Commissioners of the Profession of Pharmacy
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:

NONE

CHAPTER

- 1 Computer Regulations
- 2 Nuclear Drug Outlet Regulations
- 3 Sterile Pharmaceuticals
- 4 Complaint Handling and Enforcement
- 5 Adjudicatory Hearings
- 6 Advisory Rulings
- 7 Continuing Education
- 8 Security
- 9 Out of State Mail Order Drug Companies
- 10 General Rules
- 11 Generic Substitution
- 12 Adoption of Federal Regulations
- 13 Previous Pharmacy Regulations
- 14 Application for the Registration of a Drug Outlet
- 15 Registration of Wholesale Drug Distributors
- 16 Patient Counseling Requirements

STATUTORY AUTHORITY: 32 MRSA §13720

PURPOSE: The board may review and amend the chapters listed above as may be necessary to insure relevance with current laws and standards. The board may review and revise all rules with the intention of clarifying and updating requirements, including expanding the list of definitions, review and revise initial and relicensing requirements and processes for various licensing categories as may be needed, attending to any discrepancies that may not be in compliance with the board's laws and other national standards, and correctness of language and references.

Specifically the board will:

1. Consider minimum staffing requirements;
2. Revise the examination procedures and fees in general;
3. Review and update the chapter on generic substitutions;
4. Address the issue of drug purchases outside the State of Maine;
6. The manner in which prescriptions are called in to pharmacies;
7. Review and revised the rules regarding drug outlets to include outlets that deal exclusively with veterinary medicine;
8. Review and update the complaint procedures to conform with current Office policy;
9. Determine and set procedures and standards for the issuance of fines and citations by pharmacy inspectors;
10. Determine requirements and procedures for foreign pharmacy graduates applicants as well as clarify reciprocal requirements;
11. Review and revise the continuing education requirements for relicensure;
12. Establish a bill of rights for patients.

Several laws were enacted that affect this board. In addition to the chapters specified above, new chapters may be developed to:

1. Set training, qualifications and employment standards for pharmacy technicians;
2. Set requirements and standards that apply specifically to mail order contact lens suppliers; and
3. Standards regarding possession and administration of noncontrolled prescription drugs by a professional nurse or an advanced practice registered nurse.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensees, including pharmacies, and the public.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-393

Department of Professional and Financial Regulation
Office of Licensing & Registration
Board of Examiners in Physical Therapy
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:

NONE

CHAPTER 1 Rules for Physical Therapists and Physical Therapist Assistants and Physical Therapy Aides

STATUTORY AUTHORITY: 32 MRSA §3112

PURPOSE: This chapter outlines provisions and organization of the board, application and examination requirements for physical therapists and assistants, and supervision of physical therapy aides. The board may review these rules to insure that they are up to date and that they conform with current laws with particular attention paid to: language; temporary permits; fees and the demonstrated proficiency in written and spoken English. These rules may be amended to conform with the expected change in examination procedures and develop new application procedures. The board may consider implementing new rules for continuing professional education.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensees and the public.

CHAPTERS 2 Enforcement and Disciplinary Procedures

STATUTORY AUTHORITY: 32 MRSA §3112

PURPOSE: This chapter defines the complaint procedure. These rules may be modified and amended to conform with standards utilized by the Office of Licensing and Registration as well as a thorough review of the code of ethics.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensees and the public.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-387

Department of Professional and Financial Regulation
Office of Licensing & Registration
Maine State Pilotage Commission
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:

None.

CHAPTERS:

1 General Rules and Regulations

STATUTORY AUTHORITY: 32 MRSA §90

PURPOSE: To amend the rules to take out language that now exists in the current law; and, allow the Commission to make minor amendments as found necessary to improve its efficiency and effectiveness.

ANTICIPATED SCHEDULE: Prior to July, 1998.

AFFECTED PARTIES: Licensees.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-395

Department of Professional and Financial Regulation
Office of Licensing & Registration
Plumbers' Examining Board
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:

None.

CHAPTERS:

- 1 General Provisions
- 2 Complaints, Investigations and Adjudicatory Hearings
- 3 Licensing Requirements
- 4 Installation Standards
- 5 Examinations
- 6 Reciprocity
- 7 Fees
- 8 Conflict of Interest

STATUTORY AUTHORITY: 32 MRSA §3403

PURPOSE: The Board intends to review and revise its rules to ensure clarity and conformity with the enabling statute by clarifying the requirements for examination and licensure of plumbers.

ANTICIPATED SCHEDULE: Prior to July, 1998.

AFFECTED PARTIES: The general public and licensees.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-041

Department of Professional and Financial Regulation
Office of Licensing & Registration
Propane and Natural Gas Board
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:

None.

CHAPTERS:

- 1 Definitions
- 2 General Information
- 3 Licensure/Registration Requirements
- 4 Equipment Installation Identification
- 5 Examination Requirements
- 6 Installation Standards
- 7 Complaints, Investigations and Adjudicatory Hearings
- 8 Fees

STATUTORY AUTHORITY: 32 MRSA §14804

PURPOSE: The Board intends to review and revise its rules to ensure clarity and conformity with the enabling statute by clarifying the requirements for examination and licensure of technicians and clarifying the requirements for helpers.

ANTICIPATED SCHEDULE: Prior to July, 1998.

AFFECTED PARTIES: The general public and licensees.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-415

Department of Professional and Financial Regulation
Office of Licensing & Registration
Board of Psychologists
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:

NONE

CHAPTER 3 Licensure

STATUTORY AUTHORITY: 32 MRSA §3824

PURPOSE: This chapter outlines eligibility for licensure for psychologists and psychological examiners, application and exam procedures, types of licensure, and intervention privileges for examiners. The board will review these rules to insure that they are up to date and conform with current laws. The board is considering entering in to a reciprocal agreement with the ASPPB and may chose to modify and/or amend these rules to that affect.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensees and the public.

CHAPTERS

- 1 Introduction
- 2 Definitions
- 4 Standards of Practice
- 5 Continuing Professional Education
- 6 Fees
- 7 Enforcement & Disciplinary Procedures

STATUTORY AUTHORITY: 32 MRSA §3824

PURPOSE: The board may review these rules to insure that they are current and conform with current laws, and consistency of language. The enforcement and disciplinary procedures will be reviewed and amended to reflect current processes and practice.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensees and the public.

MAINE ADMINISTRATIVE PROCEDURE ACT
1997 Regulatory Agenda

02-298

Department of Professional & Financial Regulation
Office of Licensing & Registration
Board of Real Estate Appraisers
35 State House Station
Augusta, ME 04333

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA: None

CHAPTER 100: General Information

STATUTORY AUTHORITY: 32 M.R.S.A. §13968(2)

PURPOSE: Minor adjustments may be made as found necessary to improve the Board's efficiency and effectiveness.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Real estate appraisers, license applicants and the public.

CHAPTER 110: Fees

STATUTORY AUTHORITY: 32 M.R.S.A. §13968(2)

PURPOSE: The Board may reduce certain license fees.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Real estate appraisers.

CHAPTER 115: Education

STATUTORY AUTHORITY: 32 M.R.S.A. §13968(2)

PURPOSE: The Board may need to amend qualifications for licensure as a result of qualification changes approved at the federal level.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Real estate appraisers and license applicants.

CHAPTER 120: Work Experience

STATUTORY AUTHORITY: 32 M.R.S.A. §13968(2)

PURPOSE: The Board may need to amend the work experience standards to ensure that license applicants are able to satisfy any changes made at the federal level.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Real estate appraisers and license applicants.

CHAPTER 130: Prerequisites to Certification as a State-Certified Residential Real Estate Appraiser

STATUTORY AUTHORITY: 32 M.R.S.A. §13968(2)

PURPOSE: The Board may need to amend the qualifications for certification to maintain compliance with federal standards.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Real estate appraisers and certification applicants.

CHAPTER 135: Prerequisites to Certification as a State-Certified General Real Estate Appraiser

STATUTORY AUTHORITY: 32 M.R.S.A. §13968(2)

PURPOSE: The Board may need to amend the qualifications for certification to maintain compliance with federal standards.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Real estate appraisers and certification applicants.

CHAPTER 140: Prerequisites to Licensure as a Real Estate Appraiser

STATUTORY AUTHORITY: 32 M.R.S.A. §13968(2)

PURPOSE: The Board may need to amend the qualifications for licensure to maintain compliance with federal standards.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Real estate appraisers and license applicants.

CHAPTER 145: Prerequisites to Registration as a Real Estate Appraiser Trainee

STATUTORY AUTHORITY: 32 M.R.S.A. §13968(2)

PURPOSE: The Board may need to amend the supervisory duties and/or record keeping sections of the rule consistent with changes in the USPAP standards.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

CHAPTER 150: ADVISORY RULINGS

STATUTORY AUTHORITY: 32 M.R.S.A. §13968(2)

PURPOSE: Amendments may be necessary to reflect the changes in the administrative support serving the Board.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Real estate appraisers

CHAPTER 160: Complaints and Investigations

STATUTORY AUTHORITY: 32 M.R.S.A. §13968(2)

PURPOSE: Amendments may be necessary to reflect changes made to the Department's complaint procedure.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Real estate appraisers and the public.

CHAPTER 170: Adjudicatory Hearings

STATUTORY AUTHORITY: 32 M.R.S.A. §13968(2)

PURPOSE: The Board may need to adopt additional hearing procedures.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Real estate appraisers and the public.

CHAPTER 180: Code of Ethics

STATUTORY AUTHORITY: 32 M.R.S.A. §13968(2)

PURPOSE: The Board may need to clarify the standards imposed on licensees by the code referenced in the rule.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Real estate appraisers and the public.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-039

Department of Professional & Financial Regulation
Office of Licensing & Registration
Maine Real Estate Commission
35 State House Station
Augusta, ME 04333

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA: NONE

CHAPTER 300: General Information

STATUTORY AUTHORITY: 32 M.R.S.A. §13065

PURPOSE: It may be necessary to amend the rules regarding maintenance of records to ensure that the standards include issues made necessary by changes in technology that impact the definition of a 'record.'

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Real estate licensees and the public.

CHAPTER 320: Agency/Designated Broker Responsibilities

STATUTORY AUTHORITY: 32 M.R.S.A. §13065

PURPOSE: Section 1(C) will need to be repealed. The statutory authority (32 M.R.S.A. §59-A) was repealed effective September 29, 1995. Changes in banking practices and/or technology may require changes to the trust account section of the rule.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Real estate licensees and the public.

CHAPTER 330: Minimum Standards of Practice

STATUTORY AUTHORITY: 32 M.R.S.A. §13065

PURPOSE: Consumer response to the Commission's mandatory agency disclosure form (Section 9A) may require that the section be amended to address changes in the marketplace. Federal rules established for lead-based paint disclosures may require that the Commission amend its lead-based paint disclosure requirement (Section 19). Changes in industry practices may require the Commission to adopt rules defining the scope of practice for those licensees who are not acting as agents for buyers or sellers.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Real estate licensees, home buyers and sellers.

CHAPTER 340: Complaints and Investigations

STATUTORY AUTHORITY: 32 M.R.S.A. §13065

PURPOSE: As Commission decisions go through the appellate process, procedural issues may arise that would require the Commission to change its complaint and/or investigative process.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Real estate licensees, complainants.

CHAPTER 350: Adjudicatory Hearings

STATUTORY AUTHORITY: 32 M.R.S.A. §13065

PURPOSE: As Commission decisions go through the appellate process, procedural issues may arise that would require the Commission to change its hearing process.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Real estate licensees and hearing participants.

CHAPTER 360: Prerequisites to licensure by individuals

STATUTORY AUTHORITY: 32 M.R.S.A. §13065

PURPOSE: Clarification of the educational options available to license applicants may be necessary. In addition, Section 4 (B)(1) may need to be amended to limit the option of an exam waiver to those applicants who are enrolled in or have completed a business degree program.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Real estate license applicants and licensees.

CHAPTER 370: Continuing Education

STATUTORY AUTHORITY: 32 M.R.S.A. §13065

PURPOSE: Changes may be necessary to ensure that course filing procedures for all educational programs approved by the Commission are consistent and provide for reasonable standards to ensure the delivery of quality educational programs.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Real estate licensees and continuing education course sponsors and instructors.

CHAPTER 380: Fees

STATUTORY AUTHORITY: 32 M.R.S.A. §13065

PURPOSE: To maintain the Commission's programs and services it may be necessary to increase some fees. In addition, consistent with the Commission's policy of assessing a fee for the service provided, a fee may need to be adopted for examination reviews.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Real estate licensees, educational course sponsors and the public.

CHAPTER 390: Licensing procedures and requirements

STATUTORY AUTHORITY: 32 M.R.S.A. §13065

PURPOSE: Procedures for exam reviews may need to be adopted. In addition, should the Commission contract for examination services it may be necessary to adopt or amend sections to address examination procedures, as specified by the contract.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Real estate license applicants and licensees.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-343

Department of Professional and Financial Regulation
Office of Licensing & Registration
Board of Respiratory Care Practitioners
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:

NONE

All rules will be reviewed and revised to ensure consistency with laws, language, and gender, including the fees schedule.

CHAPTER 1: Definitions

STATUTORY AUTHORITY: 32 MRSA §9704

PURPOSE: This rule clarifies wording and terminology used throughout the board's rules. The board will consider expanding and defining terminology consistently used throughout and will also incorporate legislation that was passed identifying the appropriate initials used in conjunction with types of licenses issued by the board.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensees and the public.

CHAPTER 2: Licensure

STATUTORY AUTHORITY: 32 MRSA §9704

PURPOSE: These rules define and describe eligibility requirements for the various levels of licensure. The application procedures will be reviewed and amended to facilitate the licensing process and insure compliance with current laws as well as review clarity of language and incorporate correct gender balance. The rules will be expanded to incorporate services provided by licensees to home health care recipients.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensees and the public.

CHAPTER 3: Standards of Practice

STATUTORY AUTHORITY: 32 MRSA §9704

PURPOSE: These rules define the code of ethics in the practice of respiratory care. The board will review and update the code of ethics to reflect the standards a care provided today. These rules have not been updated for seven years.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensees and the public.

CHAPTER 4: Continuing Respiratory Care Education Requirements for Renewal of Licensure

PURPOSE: These rules establish the required continuing professional education that licensees must complete to be considered for relicensure. These rules will be updated and streamlined to conform with licensing procedures.

STATUTORY AUTHORITY: 32 MRSA §9704

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensees and the public.

CHAPTER 5: Enforcement and Disciplinary Procedures

STATUTORY AUTHORITY: 32 MRSA §9704

PURPOSE: These rules establish disciplinary and enforcement procedures. These rules will be updated and amended to conform with current agency procedures and insure that they are in compliance with current laws.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensees and the public.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-416

Department of Professional and Financial Regulation
Office of Licensing & Registration
Board of Social Worker Licensure
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA: None.

CHAPTER:

Chapter 1. General Provisions
Chapter 2. Definitions
Chapter 3. Licensure
Chapter 4. Standards of Practice
Chapter 5. Enforcement & Disciplinary Procedures

STATUTORY AUTHORITY: Title 32 M.R.S.A., Chapter 83.

PURPOSE: Rule amendments will address any areas in need of update or clarification.

ANTICIPATED SCHEDULE: Undetermined.

AFFECTED PARTIES: Licensees and applicants.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-296

Department of Professional and Financial Regulation
Office of Licensing & Registration
Board of Examiners on Speech Pathology and Audiology
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA: None.

CHAPTER:

Chapter 1. General Rules

Chapter 2. Continuing Professional Education Requirements for Renewal of Licensure
in Speech Pathology and Audiology

Chapter 3. The Registration and Use of Speech Pathology Aides and Speech
Language Pathology Assistants by Board Licensed Speech Pathologists

Chapter 4. Scope of Practice

STATUTORY AUTHORITY: Title 32 M.R.S.A., Chapter 77

PURPOSE: These amendments will bring the rules into conformity with
recently-enacted legislation (Chapter 379, PL'97).

ANTICIPATED SCHEDULE: Prior to July, 1998.

AFFECTED PARTIES: Existing Speech Language Pathology Aides and applicants to
become Speech Language Pathology Assistants.

Maine Administrative Procedure Act
1997 Regulatory Agenda

02-023

Department of Professional and Financial Regulation
Office of Licensing & Registration
Board of Veterinary Medicine
35 State House Station
Augusta, Maine 04333-0035
Anne L. Head, Director, 207-624-8633

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:

NONE

CHAPTER

- 1 Licensing of Veterinarians
- 2 Registration of Animal Technicians
- 3 Standards and Guidelines for Practice
- 4 Hearing Rules for Adjudicatory Proceedings
- 5 Advisory Rulings

STATUTORY AUTHORITY: 32 MRSA §4859

PURPOSE: The board may review and amend these rules to insure conformity with current laws and correctness of language. The board may review and amend the provisions for examination and eligibility for licensure for all licensure levels. The chapter relating to hearings and complaint procedures may be amended to conform with standards utilized by the Office of Licensing and Registration.

ANTICIPATED SCHEDULE: Within one (1) year, if needed.

AFFECTED PARTIES: Licensees and the public.

**EXECUTIVE ORDER
NUMBER 6**

SUMMARY



Angus S. King, Jr.
Governor

S. Catherine Longley
Commissioner

Department of Professional and Financial Regulation

35 State House Station, Augusta, Maine 04333-0035

Office location: Gardiner Annex, 122 Northern Avenue, Gardiner, Maine 04345

(207) 624-8511

TDD (207) 624-8563 FAX (207) 624-8690

MEMORANDUM

TO: Governor's Office

FROM: S. Catherine Longley, Commissioner

DATE: November 1, 1995

RE: Executive Order 6, An Order Regarding Administrative Rulemaking

The following materials are the results of a chapter-by-chapter review of every rule promulgated by the agencies within and affiliated with the Department of Professional and Financial Regulation.

A "Summary and Proposed Action Plan" can be found at the beginning of each section, and should prove useful in reviewing our work product.

This department reviewed a total of 393 rules, broken down as follows:

Bureau of Banking	26
- Securities Division	05
Bureau of Insurance	59
Bureau of Consumer Credit	12
Real Estate Commission	10
Division of Licensing & Enforcement	01
- Manufactured Housing	27
- Health Boards (17)	97
- Service Boards (7)	47
- Trades Boards (9)	64
Affiliated Boards (6)	<u>45</u>
	393



OFFICE OF
THE GOVERNOR

NO. 6 FY 94/95
DATE January 5, 1995

AN ORDER REGARDING ADMINISTRATIVE RULEMAKING

WHEREAS, the quality of State of Maine administrative rules has a direct influence on the quality of life in Maine and the health of the Maine economy; and

WHEREAS, it is essential that all rules administered by State of Maine agencies faithfully execute the laws of Maine and appropriately balance protection of public health and welfare with the economic impacts of the rule; and

WHEREAS, State of Maine agencies administer a large body of regulations, including some originally promulgated over a decade ago; and

WHEREAS, it is essential that all State of Maine administrative regulations reflect current law and societal conditions; and

NOW, THEREFORE, I, Angus S. King, Jr., Governor of the State of Maine, do hereby order that all state agencies undertake an inventory of their administrative rules using the following criteria and report on their findings to the Governor's Office no later than December 31, 1995. If the rules fail to meet the criteria, the agency shall include its planned course of action to correct the deficiency in the report to the Governor's Office.

The agency shall analyze:

1. Whether the rule faithfully executes the current requirements of state law;
2. Whether the factual and policy bases for the rule are still justified in light of current conditions;
3. Whether an alternative regulatory approach that would yield higher benefits to the public at a lower net cost to the citizens of Maine is feasible;

4. Whether any economic burdens or competitive disadvantages imposed upon the regulated citizens could be minimized through a more flexible regulatory approach, including simplified reporting or compliance requirements;
5. Whether the state rule is inconsistent with counterpart federal law and regulations and, if so, whether this inconsistency can be justified;
6. Whether the agencies' experience in administering the rule indicates that the rule has fulfilled its original policy objectives and cost projections.

IT IS FURTHER ORDERED, that no later than December 31, 1995, all state agencies shall assure that their rules are in an electronic text file data base readily accessible to other state agencies and the general public and in a form consistent with any plan or rules promulgated by the Maine Secretary of State pursuant to 5 M.R.S.A. § 8056. The Director of the Bureau of Information Services within the Department of Administrative and Financial Services shall provide assistance to the agencies in this effort.



Angus S. King Jr.
Governor

N = No Action

IP - In Progress

X = Completed

**BUREAU OF BANKING
RULES REVIEW TEAM
PROPOSED ACTION PLAN**

Number Rule/Chapter	Date Issued/Revised	Title	Proposed Action
1/101	1/1/93	Retention of Records	Amend to maintain consistency with federal regulation N
4/104	12/19/75	Corporate Savings Deposits	Repeal X
5/105	11/5/89	Pre-Authorized Payment from Savings Accounts	Amend 9-B MRSA §427 to repeal rule-making mandate. Repeal rule X
6/106	4/15/76	NOW Accounts	Repeal X
7/107	2/28/89	Activities Permissible for Financial Institution Holding Companies	Amend to adopt language consistent with authorizing statute. N
8/108	4/5/77	Loans Secured by a First Mortgage on Residential Real Estate Payable on Demand	Repeal. Include expanded disclosure requirements in revised Regulation #19. N
9/109	5/26/86	Advertising by Financial Institutions	Amend, incorporating general advertising guidelines for non-deposit products/ eliminate any overlaps with Federal Truth-in-Savings N
10/110	3/2/92	Share Draft Program - Credit Unions	Repeal. Rescind Bulletin #19 X
11/111	10/2/78	Treasury Tax & Loan Accounts	No action repeal IP
12/112	9/28/79	Inactive Account Service Charges	Amend rule to track revised statutory guidelines repeal IP
15/115	4/11/80	Authorization to Join the NCUA Central Liquidity Facility	Amend statute governing credit union investments. Repeal rule. X
18/118	9/5/93	Deposit Account Disclosures	Amend, incorporating all deposit account disclosure requirements, including those found in Regulations #9 and 12 and interpretative issues addressed in Bulletins 45 - 46. Rescind those Bulletins. N
19/119	10/23/88	Adjustable Rate Mortgages	Amend to incorporate relevant provisions of Regulations #8 and 21 and make changes consistent with changes in the industry. Incorporate Bulletins #34 - 49. Rescind those bulletins. X
20/120	1/31/83	Interstate Bank Ownership	Amend with changes responding to the Report of the Governor's Task Force on Interstate Banking and Branching REPEAL IP
21/121	9/6/83	Partially Amortized Loans (Balloon Mortgages)	Repeal. Incorporate relevant provisions into Regulation #19. X
22/122	6/18/85	Securities Activities of Subsidiaries of Financial Institutions	Repeal. Incorporate relevant sections in revised Regulation #7. N
23/123	12/14/85	Insurance Activities in Financial Institutions	No action
24/124	6/18/85	Signature Guarantees/Thrift Institutions	Repeal X
25/125	7/30/86	Mobile Branches	Amend to reflect changes in the authorizing statute. REPEAL IP

N = No Action
 IP = In Progress
 X = Completed

BUREAU OF BANKING
 RULES REVIEW TEAM
 PROPOSED ACTION PLAN

Number Rule/Chapter	Date Issued/Revised	Title	Proposed Action
26/126	7/16/94	Guaranty Associations Lines of Credit	No action
27/127	11/25/92	Minimum Capital Standards	Amend to incorporate recent changes to federal definitions and information contained in Bulletin #63. Rescind Bulletin #63 N
28/128	11/25/92	Loans to One Borrower Limitations	Amend to maintain consistency with federal regulations in this area. N
29/129	6/1/94	Securities Activities in Financial Institutions	Amend to maintain consistency with federal guidelines and make minor technical changes. N
30/130	1/1/95	Annuities	No action
31/131	12/27/93	Semiannual Assessments	No action
32/132	7/18/94	Mutual Holding Companies	No action

N = No Action

IP = In Progress

X = Completed

**BUREAU OF INSURANCE
RULES REVIEW SUMMARY &
PROPOSED ACTION PLAN**

Number Rule/Chapter	Date Issued/Revised	Title	Proposed Action
110	eff. 10/1/69	Automobile Policies: Minimum Limits	Repeal recommended X
120	eff. 1/1/70	Educational Requirements of General Lines Agents	Repeal recommended X
130	eff. 12/31/91	Minimum Reserve Standards for Health Insurance Contracts	No recommended action
140	eff. 1/1/73	Health Insurance Advertising	No recommended changes
150	eff. 1/2/73	Auto Liability Policy Endorsement	Repeal recommended IP
160	eff. 4/29/80	Eligible Surplus Lines Insurers	No recommended action
170	eff. 1/3/74	Class. of Private Passenger Autos Used in Car Pools	No recommended action
180	eff. 8/11/93	Holding Company Reporting Forms and Instruction	No short-term action recommended
190	eff. 3/11/87	HMOs	Repeal and replacement recommended X
200	eff. 1/16/78	Nonprofit Hospital and Medical Service Organization	No recommended action
220	eff. 10/1/87	Credit Life and Health Insurance	Amendment recommended N
230	eff. 4/29/80	Requirements for Certificate of Authority to Transact Business	Recommend review and update N
240	eff. 10/1/80	Life Insurance Solicitation	Awaiting deliberation of NAIC N
250	eff. 9/23/81	Workers' Comp Self-Insurance	Amendments pending X
260	eff. 1/1/92	Insurance Inspection Services Limitation of Liability	No recommended action
270	eff. 1/1/92	Medicare Supplement Insurance	No recommended action
271	eff. 12/24/90	Medicare Supplement Coverage	No recommended action
275	eff. 1/1/92	Medicare Supplement Insurance-1991	Amend to recognize federal law change X
280	eff. 10/18/82	Group Health Conversion Coverage	Repeal recommended N
281	eff. 7/1/85	Group Health Conversion Rule Revised	No recommended action
290	eff. 10/11/83	Premium Discounts for Small Business	Repeal recommended X
300	eff. 1/30/84	Variable Life Insurance	No recommended action at this time
310	eff. 2/6/84	Variable Annuities	No recommended action at this time
320	eff. 6/1/84	Mandated Benefits for Substance Abuse and Alcoholism	Minor amendment N
330	eff. 6/1/84	Mandated Benefits for Mental Illness	Substantially amend or repeal IP
340	eff. 6/17/84	Mortality Tables	No recommended action
350	eff. 11/5/84	Rules of Practice and Procedure Governing Adjudicatory Proceedings	Minor amendments recommended N
360	eff. 9/4/90	Requirements of Preferred Provider Arrangements	Amendment recommended N
370	eff. 2/2/87	Group Legal Services Insurance	No recommended action
390	eff. 10/22/87	Motor Vehicle Insurance ID Cards	Explore further IP
410	eff. 12/1/88	Filing-Microfiche	No recommended action at this time
420	eff. 7/1/88	Nursing Home Care and Long-Term Care Insurance	Amendment recommended IP
440	eff. 3/20/88	Workers' Comp Residual Market	Amendment recommended X

N = No Action

IP = In Progress

X = Completed

DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION
BUREAU OF CONSUMER CREDIT PROTECTION
Rules Review Summary & Proposed Action Plan

Number Rule/Chapter	Date Issued/ Revised	Title	Proposed Action
02-030-110	1982	Bureau Organization, Procedure	Revise IP
02-030-120	1981	Multiple of Federal Minimum Wage	Revise N
02-030-140	1976	Limits on Credit Insurance Coverage	Revise IP
02-030-150	1994	Rate Tables - Unearned Financial Charge	No change N
02-030-180	1978	Definition of Official Rules	Revise IP
02-030-190	1986	Enforcement & Policy Guidelines	Revise N
02-030-200	1980	Refinancing Multiple Transactions	Repeal IP
02-030-220	1984	Change in Dollar Amounts	Amend law; repeal rule N
30-240	1992	Regulation Z - 2 (Truth-in-Lending)	Revise X
02-030-250	1988	Alternative Mortgage Transactions	Revise X
02-030-300	1985	Collection Agencies - Applications & Records	Revise IP
02-030-350	1989	Credit Services Organizations	Amend law; repeal rule N

N = No Action

IP = In Progress

X = Completed

DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION
DIVISION OF LICENSING AND ENFORCEMENT
BOARD OF ACCOUNTANCY
RULES REVIEW SUMMARY & PROPOSED ACTION PLAN

Number Rule/Chapter	Date Issued/Revised	Title	Proposed Action
1	May 21, 1994	Gen. Provisions & Definitions	No Action
2	May 21, 1994	Board Structure & Organization	No Action
3	May 21, 1994	Certified Public Accountants	Amend Sections 1 & 3 re. Examinations X
4	May 21, 1994	Public Accountants	Amend Sections 1 & 3 re. Examinations X
5	May 21, 1994	Permits to Practice, Individual	Amend Sections 1, 2, 4 & 7 re. Examinations, Reciprocity, CPE, staggering renewals X
6	May 21, 1994	Permits to Practice, Firms	Amend Sections 1 & 2 re. staggering renewals and lowering firm renewal fees X
7	May 21, 1994	Hearings, Reviews and Complaints	Amend Sections 1 & 2 re. Adjudicatory hearings and Complaints X

DEPARTMENT OF PROFESSIONAL FINANCIAL REGULATION

Summary of Rule Review and Proposed Action

In Accordance with Executive Order #6

October, 1995

N = No Action

IP = In Progress

X = Completed

ACUPUNCTURE LICENSING BOARD

Number Rule/Chapter	Date Adopted	Date Last Amended	Title	Proposed Action
02-502, Ch. 1	8/9/88	6/13/90	Definitions	Modify to conform with ADA. IP
02-502, Ch. 2	8/9/88	6/13/90	Licensure Requirements	Modify to update fee schedule. IP
02-502, Ch. 3	8/9/88	N/A	Continuing Education	Minor modification. IP
02-502, Ch. 4	8/9/88	N/A	Complaint procedures	No action.
02-502, Ch. 5	8/9/88	N/A	Code of Ethics	Minor modification. IP
02-502, Ch. 6	8/9/88	N/A	Renewal of Licensure	No action.

DEPARTMENT OF PROFESSIONAL FINANCIAL REGULATION

*Summary of Rule Review and Proposed Action
In Accordance with Executive Order #6
October, 1995*

N = No Action

IP = In Progress

X = Completed

BOARD OF ALCOHOL & DRUG COUNSELORS

Number Rule/Chapter	Date Adopted	Date Last Amended	Title	Proposed Action
02-384, Ch.1	2/4/91	2/2/93	Licensure & Fees	Minor modifications. IP
02-384, Ch.2	2/4/91	2/2/93	Continuing Education	Modify for clarity. IP
02-384, Ch.3	2/4/91	2/2/93	Appeals & Discipline'	No action Proposed.
02-384, Ch.4	2/4/91	N/A	Complaints	No action Proposed.
02-384, Ch.5	2/4/91	N/A	Advisory Rulings	No action Proposed.
02-384, Ch.6	2/4/91	2/2/91	Code of Ethics	No action Proposed.

N = No Action

IP = In Progress

X = Completed

Department of Professional & Financial Regulation
Division of Licensing & Enforcement

ARBORIST EXAMINING BOARD

RULES REVIEW SUMMARY &
PROPOSED ACTION PLAN

Number Rule/Chapter	Date Issued/Revised	Title	Proposed Action
1	4/28/94	Definitions	Minor Modifications Necessary - Repeal those sections that are duplicative of current law. N
2	4/28/95	Licensing	No Recommended Changes
3	4/28/95	Standards of Practice	No Recommended Changes
4	4/28/95	Enforcement and Disciplinary Procedures	No Recommended Changes

N = No Action

IP = In Progress

X = Completed

DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION
DIVISION OF LICENSING & ENFORCEMENT
BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS & INTERIOR DESIGNERS
RULES REVIEW SUMMARY & PROPOSED ACTION PLAN

Number Rule/Chapter	Date Issued/Revised	Title	Proposed Action
1	July 16, 1994	Board Administration	No Action.
2	July 16, 1994	Rules for Architects, Landscape Architects & Interior Designers	Amend Sections 6 and 9. Section 6 is illegal as written. Section 9 needs to be amended to add language regarding filing a complaint against a licensee. N

N = No Action

IP = In Progress

X = Completed

Department of Professional and Financial Regulation
Division of Licensing & Enforcement

MAINE ATHLETIC COMMISSION

**RULES REVIEW SUMMARY &
PROPOSED ACTION PLAN**

Number Rule/Chapter	Date Issued/Revised	Title	Proposed Action
110	3/25/84	Wrestling	Recommended Modifications Necessary to reflect current law - Need to remove any reference to wrestlers or physicians requiring licensure or fees. N
210	11/17/86	Kickboxing	No Recommended Changes
510	1/22/86	Boxing Information	No Recommended Changes
520	10/19/92	Rules Governing Promoters	No Recommended Changes
530	10/19/92	Boxing Contests	No Recommended Changes
540	1/22/86	Boxers	No Recommended Changes
550	1/22/86	Referees	No Recommended Changes
560	1/22/86	Judges	No Recommended Changes
570	1/22/86	Timekeepers	No Recommended Changes
580	1/22/86	Knockdown Timekeepers	No Recommended Changes
590	1/22/86	Manages and Seconds	No Recommended Changes
600	1/22/86	Physicians	No Recommended Changes
610	12/3/89	Fees	Recommended Modifications Necessary to reflect current law - Need to remove any reference to physicians requiring licensure or fees. N

N = No Action
IP = In Progress
X = Completed

Department of Professional and Financial Regulation
Division of Licensing & Enforcement

BOARD OF LICENSURE OF AUCTIONEERS

**RULES REVIEW SUMMARY &
PROPOSED ACTION PLAN**

Number Rule/Chapter	Date Issued/Revised	Title	Proposed Action
1	2/8/94	Definitions	No Recommended Changes
2	2/8/94	Board Practice	No Recommended Changes
3	2/8/95	Technical Standards of Practice	No Recommended Changes
4	2/8/94	Standards of Professional Ethics	No Recommended Changes
5	2/8/94	Unprofessional Conduct	No Recommended Changes

N = No Action

IP = In Progress

X = Completed

DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION
DIVISION OF LICENSING & ENFORCEMENT
BOARD OF BARBERING & COSMETOLOGY
RULES REVIEW SUMMARY &
PROPOSED ACTION PLAN

Number Rule/Chapter	Date Issued/Revised	Title	Proposed Action
1	March 21, 1995	General Information	Amend Sections 7 and 10. Section 7 re. Written Complaints and Section 10 re. repealing fee for record modification. X
2	March 13, 1995	Rules Relating to Cosmetologists, Barber, Aestheticians, and Manicurist Trainees	No Action.
3	March 13, 1995	Establishments, Booths Where Cosmetology, Barbering, Aesthetics, Manicuring is Practiced	Amend Sections 3.03, 3.08 and 3.09. Section 3.03 re. other businesses in an establishment, Section 3.08 re. communicable disease and Section 3.09 re. head lice. X
4	March 13, 1995	Rules for Certifying Barber & Cosmetology Instructors	No Action.
5	March 15, 1995	Requirements to Hold a Demonstrator License	No Action.

DEPARTMENT OF PROFESSIONAL & FINANCIAL REEGULATION
DIVISION OF LICENSING & ENFORCEMENT
CHARITABLE SOLICITATIONS
RULES REVIEW SUMMARY & PROPOSED ACTION PLAN

Number Rule/Chapter	Date Issued/Revised	Title	Proposed Action
1	February 1, 1994	Registration Statement and Financial Reports Made Pursuant to the Maine Charitable Solicitations Act.	No Action.

DEPARTMENT OF PROFESSIONAL FINANCIAL REGULATION
Summary of Rule Review and Proposed Action
in Accordance with Executive Order #6
October, 1995

N = No Action

IP = In Progress

X = Completed

BOARD OF CHIROPRACTIC LICENSURE

Number Rule/Chapter	Date Adopted	Date Last Amended	Title	Proposed Action
02-296, Ch. 1	7/5/58	10/4/92	Organization of Board	Modify to conform to statutory authority. IP
02-296, Ch. 2	7/5/58	10/4/92	Advisory Rulings	Minor Modification. IP
02-296, Ch. 3	11/15/81	10/4/92	Continuing Ed./Fees	No action.
02-296, Ch. 4	3/23/94	N/A	Chiropractic Assistants	No action.
02-296, Ch. 5	3/23/94	N/A	Code of Ethics	No action.

DEPARTMENT OF PROFESSIONAL FINANCIAL REGULATION

*Summary of Rule Review and Proposed Action
in Accordance with Executive Order #6
October, 1995*

N = No Action

IP = In Progress

X = Completed

BOARD OF COUNSELING PROFESSIONALS LICENSURE

Number Rule/Chapter	Date Adopted	Date Last Amended	Title	Proposed Action
02-514 Ch. 1	1/4/92	N/A	General	No action proposed. Amendments IP
02-514 Ch. 2	1/4/92	5/12/93	Licensure & Examinations	Conform to change in statute. Amends. IP
02-514 Ch. 3	1/4/92	N/A	Registration	No action proposed. Amendments IP
02-514 Ch. 4	1/4/92	N/A	Conditional Licensure	No action proposed. Amendments IP
02-514 Ch. 5	1/4/92	N/A	Licensure by Comity	No action proposed. Amendments IP
02-514 Ch. 6	1/4/92	N/A	Application Procedures	No action proposed. Amendments IP
02-514 Ch. 7	1/4/92	N/A	Renewal of Licensure	No action proposed. Amendments IP
02-514 Ch. 8	1/4/92	N/A	Standards of Practice	No action proposed. Amendments IP
02-514 Ch. 9	1/4/92	N/A	Fees	No action proposed. Amendments IP
02-514 Ch. 10	1/4/92	N/A	Enforcement & Discipline	No action proposed. Amendments IP

DEPARTMENT OF PROFESSIONAL FINANCIAL REGULATION

Summary of Rule Review and Proposed Action

In Accordance with Executive Order #6

October, 1995

N = No Action

IP = In Progress

X = Completed

BOARD OF DIETETIC PRACTICE

Number	Date	Date Last	Title	Proposed Action
Rule/Chapter	Adopted	Amended		
20-344 Ch. 1	1/31/88	10/23/91	Rules for Licensing.	No action proposed. Amendments IP

N = No Action

IP = In Progress

X = Completed

Department of Professional and Financial Regulation
Division of Licensing & Enforcement

ELECTRICIANS EXAMINING BOARD

**RULES REVIEW SUMMARY &
PROPOSED ACTION PLAN**

Number Rule/Chapter	Date Issued/Revised	Title	Proposed Action
100	12/27/89	General Provisions	No Recommended Changes
110	12/27/89	Conflict of Interest	Minor Modifications Necessary - Change to make rule gender neutral X
120	3/27/93	Electrical Installation Standards	Recommended Modifications to Rule - Change the National Electrical Code date from 1993 to 1996 to conform with current requirements X
130	12/27/89	Licensing Application Procedures	Minor Modifications Necessary - To conform with current procedures X
140	12/27/89	Examinations	Minor Modifications Necessary - To conform with current procedures X
150	3/27/89	Board Fees	Recommended Modifications to Reflect Current Law - Need to remove any fees for company licenses X
160	6/8/92	Licenses	Recommended Modifications to Reflect Current Law - Need to change the educational hours required for licensure as a limited electrician X
170	6/8/92	License Renewals	No Recommended Changes
180	12/27/89	Complaint Handling	No Recommended Changes
190	12/27/89	Adjudicatory Hearings	No Recommended Changes

N = No Action

IP = In Progress

X = Completed

Department of Professional and Financial Regulation
Division of Licensing & Enforcement

MAINE STATE BOARD OF LICENSURE OF PROFESSIONAL FORESTERS

**RULES REVIEW SUMMARY &
PROPOSED ACTION PLAN**

Number Rule/Chapter	Date Issued/Revised	Title	Proposed Action
1	2/9/91	General Provisions and Definitions	Recommended Modifications Necessary to Reflect Current Law - Fees X
2	2/9/91	Rulemaking Procedures	No Recommended Changes
3	2/9/91	Hearings	No Recommended Changes
4	2/9/91	Advisory Rulings	No Recommended Changes
5	5/23/94	General Requirements for Licensure	Minor Modifications Necessary - Move section of rule to conform with current procedure X
6	2/9/91	Ethics and Standards of Professional Conduct	No Recommended Changes

N = No Action

IP = In Progress

X = Completed

DEPARTMENT OF PROFESSIONAL & FINANCIAL REEGULATION
DIVISION OF LICENSING & ENFORCEMENT
BOARD OF FUNERAL SERVICE
RULES REVIEW SUMMARY & PROPOSED ACTION PLAN

Number Rule/Chapter	Date Issued/Revised	Title	Proposed Action
1	April 3, 1990	Definitions	No Action.
2	April 3, 1990	Meetings of the Board	No Action.
3	April 3, 1990	Educational Requirements	No Action.
4	April 3, 1990	Examination	No Action.
5	April 3, 1990	Practitioner Trainee	No Action.
6	April 3, 1990	Reciprocity	No Action.
7	Dec. 15, 1993	Funeral Establishments	No Action.
8	April 3, 1990	Safety and Health Standards	No Action.
9	April 3, 1990	Complaints	Amend this section so that the Board may use the Department's complaint processing procedure. N
10	Dec. 15, 1993	Fees	No Action.
11	April 3, 1990	General Rules	No Action.
12	Sept. 7, 1992	Continuing Education Requirement	No Action.
13	Dec. 15, 1993	Inactive Status	Amend Section B. The Board only has jurisdiction over Maine applicants. N

N = No Action

IP = In Progress

X = Completed

**DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION
DIVISION OF LICENSING & ENFORCEMENT
STATE BOARD OF CERTIFICATION OF GEOLOGISTS AND SOIL SCIENTISTS
RULES REVIEW SUMMARY & PROPOSED ACTION PLAN**

Number Rule/Chapter	Date Issued/Revised	Title	Proposed Action
1	Sept. 24, 1985	Conduct of Adjudicatory Proceedings	Repeal - Duplicative of APA. X
2	April 8, 1992	Review of Applications for Certification	Amend Section 1(C), 2(E) and 4. In Section 1(C) delete any reference to Board Secretary, 2(E) clarify language for reciprocity and 4 clarify language for formal certificate. X
3	Sept. 24, 1985	Requests for Rule Making	Repeal - Duplicative of APA. X
4	Sept. 24, 1985	Requests for Advisory Rulings	No Action.
6	Sept. 24, 1985	Conduct of Hearings in Matters of Rule Making	Repeal - Duplicative of APA. X
7	Sept. 12, 1988	Code of Ethics	The Board is going to amend to add a preamble to the Code of Ethics. X

DEPARTMENT OF PROFESSIONAL FINANCIAL REGULATION

*Summary of Rule Review and Proposed Action
in Accordance with Executive Order #6
October, 1995*

N = No Action

IP = In Progress

X = Completed

BOARD OF HEARING AID DEALERS & FITTERS

Number Rule/Chapter	Date Adopted	Date Last Amended	Title	Proposed Action
12-164 Ch. 1	10/28/95	3/21/91	General Provisions	No action proposed. Amendments IP
12-164 Ch. 2	10/28/95	3/21/91	Licensing Procedures	Modify to conform to statute. Amendments
12-164 Ch. 3	10/28/95	3/21/91	Application & Examination	Minor modification. Amendments IP
12-164 Ch. 4	10/28/95	3/21/91	Complaints	Conform to PFR policy. Amendments IP
12-164 Ch. 5	10/28/95	3/21/91	License Renewal	Minor modification. Amendments IP
12-164 Ch. 6	10/28/95	3/21/91	Calibration Standards	No action proposed. Amendments IP
12-164 Ch. 7	10/28/95	3/21/91	Code of Ethics	

Department of Professional and Financial Regulation
Division of Licensing & Enforcement

BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS

**RULES REVIEW SUMMARY &
PROPOSED ACTION PLAN**

Number Rule/Chapter	Date Issued/Revised	Title	Proposed Action
1	7/29/91	Definitions	No Recommended Changes
2	10/23/91	Board Practice	No Recommended Changes
3	1/31/93	Requirements for Licensure	No Recommended Changes
4	1/13/93	Professional Development	No Recommended Changes
5	7/29/91	Standards of Professional Ethics	No Recommended Changes
6	7/29/91	Technical Standards of Practice	No Recommended Changes

N = No Action

IP = In Progress

X = Completed

**MANUFACTURED HOUSING BOARD
RULES REVIEW SUMMARY &
PROPOSED ACTION PLAN**

Number Rule/Chapter	Date Issued/Revised	Title	Proposed Action
02-385/110		State Certification of Manufactured Housing	Amend & update IP
02-385/310	1995	Licensing	No action proposed
02-385/320	1995		No action proposed
02-385/330	1992		No action proposed
02-385/340	1995		No action proposed
02-385/350	1995		No action proposed
02-385/360	1992		No action proposed
02-385/370	1995		No action proposed
02-385/380	1992		No action proposed
02-385/381	1995		No action proposed
02-385/610	1992	Consumer Complaint Handling on Federal Certified Manufactured Housing	No action proposed at this time - privatization of program being explored X
02-385/620	1992		Minor amendment X
02-385/630	1992		No action proposed at this time
385/640	1992		No action proposed at this time
02-385/650	1992		No action proposed at this time
02-385/660	1992		No action proposed at this time
02-385/670	1992		Repeal - duplicative of statute X
02-385/680	1992		No action proposed at this time
02-385/690	1992		No action proposed at this time
02-385/810	1992	Mobile Home Parks	No action proposed
02-385/820	1992		Minor amendment X
02-385/830	1992		No action proposed
02-385/840	1992		No action proposed
02-385/850	1992		Amend to reduce testing burden & update code references X
02-385/860	1992		No action proposed
02-385/870	1992		No action proposed
02-385/900	1993	Installation Standard for Manufactured Homes	No action proposed at this time - may have to amend if pre-empted N

DEPARTMENT OF PROFESSIONAL FINANCIAL REGULATION

Summary of Rule Review and Proposed Action in Accordance with Executive Order #6 October, 1995

N = No Action

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X = Completed

BOARD OF NURSING HOME ADMINISTRATORS

Number Rule/Chapter	Date Adopted	Date Last Amended	Title	Proposed Action
02-371 Ch. 1	6/29/93	N/A	Definitions	No action proposed. Amendments IP
02-371 Ch. 2	6/29/93	N/A	Admin-in-Training Program	No action proposed. Amendments IP
02-371 Ch. 3	6/29/93	N/A	Examinations	No action proposed. Amendments IP
02-371 Ch. 4	6/29/93	N/A	Continuing education	No action proposed. Amendments IP
02-371 Ch. 5	6/29/93	N/A	Licensing	Minor Modification Amendments IP
02-371 Ch. 6	6/29/93	N/A	Endorsement	No action proposed. Amendments IP
02-371 Ch. 7	6/29/93	N/A	Temporary Licensure	Conform to PFR Policy. Amendments IP
02-371 Ch. 8	6/29/93	N/A	Disciplinary Action	No action proposed. Amendments IP
02-371 Ch. 9	6/29/93	N/A	Advisory Rulings	No action proposed. Amendments IP
02-371 Ch. 10	6/29/93	N/A	Fees	No action proposed.
PROPOSED NEW CHAPTER				
02-371 Ch. 11	N/A	N/A	Code of Ethics	Include in separate chapter.

DEPARTMENT OF PROFESSIONAL FINANCIAL REGULATION

*Summary of Rule Review and Proposed Action
in Accordance with Executive Order #6
October, 1995*

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BOARD OF OCCUPATIONAL THERAPY PRACTICE

Number Rule/Chapter	Date Adopted	Date Last Amended	Title	Proposed Action
02-447, Ch. 1	2/7/89	1/21/91	General Rules	Delete superfluous text. IP
02-447, Ch. 1	2/7/89	N/A	Continuing Ed. & Renewal	Conform to statute. IP
PROPOSED REORGANIZATION OF RULES				
02-447, Ch. 1	N/A	N/A	General Rules	N/A IP
02-447, Ch. 2	N/A	N/A	Advisory Rulings	N/A IP
02-447, Ch. 3	N/A	N/A	Licensing Requirements	N/A IP
02-447, Ch. 4	N/A	N/A	Fees	N/A IP
02-447, Ch. 5	N/A	N/A	Supervision	N/A IP
02-447, Ch. 6	N/A	N/A	Complaints	N/A IP

Department of Professional and Financial Regulation
Division of Licensing & Enforcement

OIL AND SOLID FUEL BOARD

**RULES REVIEW SUMMARY &
PROPOSED ACTION PLAN**

Number Rule/Chapter	Date Issued/Revised	Title	Proposed Action
100	10/3/92	Licensing Provisions	No Recommended Changes
120	7/25/90	Modifications of Standards	No Recommended Changes
130	2/31/92	The Registration of Equipment	No Recommended Changes
140	7/25/90	Standards for the Installation of Oil Burning Equipment	No Recommended Changes
150	7/25/90	Other Equipment Specifications and Standards	No Recommended Changes
160	7/25/90	Standards for the Installation of Solid Fuel Burning Equipment	No Recommended Changes
170	7/25/90	Conditions for the Installation of Oil Fired Equipment in Parking/Repair/Residential Garages	No Recommended Changes
180	7/25/90	Safety Controls	No Recommended Changes
190	7/25/90	Complaint Handling	No Recommended Changes
200	7/25/90	Rules of Practice	No Recommended Changes

DEPARTMENT OF PROFESSIONAL FINANCIAL REGULATION

*Summary of Rule Review and Proposed Action
in Accordance with Executive Order #6
October, 1995*

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BOARD OF COMMISSIONERS OF THE PROFESSION OF PHARMACY

Number Rule/Chapter	Date Adopted	Date Last Amended	Title	Proposed Action
02-392, Ch. 1	2/18/90	N/A	Computer Regulations	No action Proposed.
02-392, Ch. 2	2/18/90	N/A	Nuclear Drug Outlets	No action Proposed.
02-392, Ch. 3	2/18/90	N/A	Sterile Pharmaceuticals	No action Proposed.
02-392, Ch. 4	2/18/90	N/A	Complaints & Enforcement	Minor modification. N
02-392, Ch. 5	2/18/90	N/A	Adjudicatory Hearings	No action Proposed.
02-392, Ch. 6	2/18/90	N/A	Advisory Rulings	No action Proposed.
02-392, Ch. 7	2/18/90	N/A	Continuing Education	No action Proposed.
02-392, Ch. 8	2/18/90	N/A	Security	No action Proposed.
02-392, Ch. 9	2/18/90	N/A	O/S Mail Order Drug Co.s	No action Proposed.
02-392, Ch. 10	2/18/90	12/21/94	General Rules	No action Proposed.
02-392, Ch. 11	2/15/92	N/A	Generic Substitutions	No action Proposed.
02-392, Ch. 12	2/15/92	N/A	Adoption of Federal Regulations	No action Proposed.
02-392, Ch. 13	2/15/92	N/A	Previous Pharmacy Regulations	No action Proposed.
02-392, Ch. 14	2/15/92	N/A	Appl. for Reg. of a Drug Outlet	No action Proposed.
02-392, Ch. 15	8/12/92	N/A	Wholesale Drug Distributors	No action Proposed.
02-392, Ch. 16	11/24/94	N/A	Patient Counseling	No action Proposed.

DEPARTMENT OF PROFESSIONAL FINANCIAL REGULATION

*Summary of Rule Review and Proposed Action
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October, 1995*

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BOARD OF EXAMINERS IN PHYSICAL THERAPY

Number Rule/Chapter	Date Adopted	Date Last Amended	Title	Proposed Action
02-393, Ch. 1	8/9/93	3/23/94	Board Org., Licensure, Exams	Minor Modification. IP
02-393, Ch. 2	8/9/93	3/23/94	Enforcement and Discipline	Minor Modification. IP
02-393, Ch. 3	8/9/93	3/23/94	Fees	No proposed action.
PROPOSED REORGANIZATION OF RULES				
02-393, Ch. 1	N/A	N/A	Board Organization	N/A
02-393, Ch. 2	N/A	N/A	Application and Licensure	N/A
02-393, Ch. 3	N/A	N/A	Examinations & Supervision	N/A
02-393, Ch. 4	N/A	N/A	Advisory Rulings	N/A
02-393, Ch. 5	N/A	N/A	Enforcement & Discipline	N/A
02-393, Ch. 6	N/A	N/A	Code of Ethics	N/A
02-393, Ch. 7	N/A	N/A	Fees	N/A

N = No Action
IP = In Progress
X = Completed

Department of Professional & Financial Regulation
Division of Licensing & Enforcement

MAINE STATE PILOTAGE COMMISSION

**RULES REVIEW SUMMARY &
PROPOSED ACTION PLAN**

Number Rule/Chapter	Date Issued/Revised	Title	Proposed Action
1	2/6/86	General Rules and Regulation	Recommended Modifications Necessary to Reflect Current Law - Make sections gender neutral; change percentage rate of pilotage fees collected from 1% to 2%; repeal bond requirement; change license fees from \$75 to \$10; repeal grandfather clause, not longer needed; change language to conform with current procedures. N

N = No Action

IP = In Progress

X = Completed

Department of Professional and Financial Regulation
Division of Licensing & Enforcement

PLUMBERS EXAMINING BOARD

**RULES REVIEW SUMMARY &
PROPOSED ACTION PLAN**

Number Rule/Chapter	Date Issued/Revised	Title	Proposed Action
110	3/6/90	General Provisions	Minor Modifications Necessary - Repeal those sections that are duplicative of current law. X
120	3/31/85	Complaints and Hearings and Rules	Minor Modifications Necessary - Repeal those sections that are duplicative of current law. X
130	3/6/90	Licensing Requirements	No Recommended Changes
140	3/6/90	Examinations	No Recommended Changes
150	3/31/85	Reciprocity	Minor Modifications Necessary - Change to make rule gender neutral. X
160	3/26/91	Board Fees	No Recommended Changes
170	3/6/90	Conflict of Interest	Minor Modifications Necessary - Change to make rule gender neutral. X
180	3/6/90	Adjudicatory Hearings	Minor Modifications Necessary - Repeal those sections that are duplicative of current law. X
190	3/6/90	Enforcement and Disciplinary Procedures	Minor Modifications Necessary - Repeal those sections that are duplicative of current law. X

DEPARTMENT OF PROFESSIONAL FINANCIAL REGULATION

*Summary of Rule Review and Proposed Action
in Accordance with Executive Order #6
October, 1995*

N = No Action

IP = In Progress

X = Completed

BOARD OF LICENSURE OF PODIATRIC MEDICINE

Number Rule/Chapter	Date Adopted	Date Last Amended	Title	Proposed Action
02-396, Ch. 1	4/3/79	N/A	Licensing of Podiatrists	Conform to law & delete oral exam. TP
02-396, Ch. 2	4/3/79	N/A	Continuing Education	Modify for clarity. IP

DEPARTMENT OF PROFESSIONAL FINANCIAL REGULATION

*Summary of Rule Review and Proposed Action
in Accordance with Executive Order #6
October, 1995*

BOARD OF EXAMINERS OF PSYCHOLOGISTS

Number Rule/Chapter	Date Adopted	Date Last Amended	Title	Proposed Action
02-415, Ch. 1	3/31/86	7/28/92	Introduction	No action Proposed.
02-415, Ch. 2	3/31/86	7/28/92	Definitions	No action Proposed.
02-415, Ch. 3	3/31/86	6/19/94	Licensure	No action Proposed.
02-415, Ch. 4	3/31/86	7/28/92	Standards of Practice	No action Proposed.
02-415, Ch. 5	3/31/86	7/28/92	Continuing Professional Ed.	No action Proposed.
02-415, Ch. 6	7/28/92	7/23/93	Fees	No action Proposed.
02-415, Ch. 7	7/28/92	N/A	Enforcement & Discipline	No action Proposed.

DEPARTMENT OF PROFESSIONAL FINANCIAL REGULATION

*Summary of Rule Review and Proposed Action
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October, 1995*

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IP = In Progress

X = Completed

RADIOLOGIC TECHNOLOGY BOARD

Number Rule/Chapter	Date Adopted	Date Last Amended	Title	Proposed Action
02-465, Ch.1	7/2/89	7/21/93	Licensing	Modify for clarity & conformity w/ law. Amendments IP
02-465, Ch.2	1/21/87	N/A	Ed. Requirement	No action Proposed. Amendments IP
02-465, Ch.3	7/21/93	N/A	Renewal	No action Proposed. Amendments IP

N = No Action

IP = In Progress

X = Completed

DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION
DIVISION OF LICENSING & ENFORCEMENT
BOARD OF REAL ESTATE APPRAISERS
RULES REVIEW SUMMARY &
PROPOSED ACTION PLAN

Number Rule/Chapter	Date Issued/Revised	Title	Proposed Action
100	Nov. 24, 1990	General Information	Amend Sections 1 & 5. Section 1 needs to be amended to execute current state law. In Section 5, Secretary needs to be replaced with Vice-Chair. X
110	Dec. 13, 1993	Fees	Amend Section 4. Lower fee for record modification. X
120	Nov. 24, 1990	Transitional Licensure	Repeal Chapter. X
130	Dec. 13, 1993	Prerequisites to Certification as a State-Certified Residential REA	Amend Sections 1, 2 and 3 to conform to current examination procedures. X
135	Dec. 13, 1993	Prerequisites to Certification as a State-Certified General REA	Amend Sections 1, 2 and 3 to conform to current examination procedures. X
140	Dec. 13, 1993	Prerequisites to Licensure as a Real Estate Appraiser	Amend Sections 1, 2 and 3 to conform to current examination procedures. X
145	Dec. 13, 1993	Prerequisites to Registration as a Real Estate Appraiser Trainee	No Action.
150	Nov. 24, 1990	Advisory Rulings	No Action.
160	Nov. 24, 1990	Complaints and Investigations	No Action.
170	Nov. 24, 1990	Adjudicatory Hearings	Repeal Sections 2-8 since these sections are duplicative of the APA. X
180	Nov. 24, 1990	Code of Ethics	No Action.

DEPARTMENT OF PROFESSIONAL FINANCIAL REGULATION

*Summary of Rule Review and Proposed Action
in Accordance with Executive Order #6
October, 1995*

BOARD OF RESPIRATORY CARE PRACTITIONERS

Number Rule/Chapter	Date Adopted	Date Last Amended	Title	Proposed Action
02-343, Ch.1	3/6/88	N/A	Definitions	No action Proposed.
02-343, Ch.2	3/6/88	4/6/93	Licensure	No action Proposed.
02-343, Ch.3	3/6/88	N/A	Standards of Practice	No action Proposed.
02-343, Ch.4	3/6/88	4/6/93	Continuing Education	No action Proposed.
02-343, Ch.5	3/6/88	2/19/90	Enforcement & Discipline	No action Proposed.

DEPARTMENT OF PROFESSIONAL FINANCIAL REGULATION

*Summary of Rule Review and Proposed Action
in Accordance with Executive Order #6
October, 1995*

N = No Action

IP = In Progress

X = Completed

BOARD OF SOCIAL WORKER LICENSURE

Number Rule/Chapter	Date Adopted	Date Last Amended	Title	Proposed Action
02-416, Ch.1	5/27/90	N/A	Introduction	Modify for clarity. N --
02-416, Ch.2	5/27/90	N/A	Definitions	Minor modification. N
02-416, Ch.3	5/27/90	N/A	Licensure	Revise to conform to ADA. N
02-416, Ch.4	5/27/90	N/A	Standards of Practice	No action Proposed. N
02-416, Ch.5	5/27/90	N/A	Enforcement & Discipline	No action Proposed. N

DEPARTMENT OF PROFESSIONAL FINANCIAL REGULATION

Summary of Rule Review and Proposed Action in Accordance with Executive Order #6

October, 1995

N = No Action

IP = In Progress

X = Completed

BOARD OF SPEECH PATHOLOGY & AUDIOLOGY

Number Rule/Chapter	Date Adopted	Date Last Amended	Title	Proposed Action
02-296, Ch.1	6/11/81	4/28/90	General Rules	Minor Modifications Amendments IP
02-296, Ch.2	6/11/81	4/28/90	Continuing Education	No action Proposed Amendments IP
02-296, Ch.3	1/21/84	N/A	Speech Aides	No action Proposed Amendments IP

DEPARTMENT OF PROFESSIONAL FINANCIAL REGULATION

Summary of Rule Review and Proposed Action in Accordance with Executive Order #6 October, 1995

N = No Action

IP = In Progress

X = Completed

BOARD OF VETERINARY MEDICINE

Number Rule/Chapter	Date Adopted	Date Last Amended	Title	Proposed Action
02-285, Ch.1	3/8/83	10/18/88	Licensing	Modify for conformity to law. N
02-285, Ch.2	3/8/83	N/A	Reg. of Animal Techs	Delete superfluous text. N
02-285, Ch.3	3/8/83	N/A	Standards of Practice	Minor modification. N
02-285, Ch.4	3/8/83	N/A	Adjudicatory Proceedings	Modify for clarity & gender neutrality N
02-285, Ch.5	3/8/83	N/A	Advisory Rulings	No proposed action.

DEPARTMENT OF PROFESSIONAL FINANCIAL REGULATION

*Summary of Rule Review and Proposed Action
in Accordance with Executive Order #6
October, 1995*

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BOARD OF DENTAL EXAMINERS

Number Rule/Chapter	Date Last Amended	Title	Proposed Action
02-313, Ch.1	1987	Supervision of Dental Hygienists	Minor modifications. X
02-313, Ch.2	1987	Dental Assistants	No proposed action.
02-313, Ch.3	1978	Denture Technology	Review as req'd by Legislature IP
02-313, Ch.4	1978	Denture Tech. Education.	Review as req'd by Legislature IP
02-313, Ch.5	1980	Lead Aprons	No proposed action.
02-313, Ch.6	1982	Fees	Revise to make current. N
02-313, Ch.7	1982	False & Misleading Advts.	No proposed action.
02-313, Ch.8	1982	Complaints	No proposed action.
02-313, Ch.9	1995	Radiographers	No proposed action.
02-313, Ch.10	1995	Reqs. for Lic of Dent Hygnsts	No proposed action.
02-313, Ch.11	1990	Reqs. for Licensure of Dentists	No proposed action.
02-313, Ch.12	1995	Continuing Dental Ed.	No proposed action.
02-313, Ch.13	1990	General Anesthesia & Sedation	No proposed action.
02-313, Ch.14	1995	Mortality & Life Threatening Circ.	No proposed action.

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STATE BOARD OF REGISTRATION FOR PROFESSIONAL
ENGINEERS
RULES REVIEW SUMMARY &
PROPOSED ACTION PLAN

Chapter	Year	Subject	Action	Status
Chp. 1	1990	By-laws	Revise and update - currently pending	X
Chp. 2	1991	Registration of Professional Engineers	Revise and update - currently pending	X
Chp. 3	1978	Rules of Practice	Revise and update - currently pending	X
Chp. 4	pending	Continuing Education	Currently proposed - hearing 11/95	N

N = No Action

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**MAINE BOARD OF LICENSURE IN MEDICINE
RULES REVIEW SUMMARY &
PROPOSED ACTION PLAN**

MAINE BOARD OF LICENSURE IN MEDICINE			
Chp. 1	1988	Rules & Regulations for Physicians	Revise and update N
Chp. 2	1994	Physician Assistants	Minor Revisions IP
Chp. 3	1994	Physician Extenders	Minor Revisions IP
Chp. 4	1989	Alternative Graduate Studies Programs	Repeal and Revise - outdated N
Chp. 20	1995	MLDP - Anesthesiology	No action proposed
Chp. 22	1995	MLDP - Emergency Medicine	No action proposed
Chp. 24	1995	MLDP - Obstetrics and Gynecology	No action proposed
Chp. 26	1995	MLDP - Radiology	No action proposed

N = No Action

IP = In Progress

X = Completed

**MAINE STATE BOARD OF NURSING
RULES REVIEW SUMMARY &
PROPOSED ACTION PLAN**

Maine State Board of Nursing Rules Review Summary			
Chp. 1	1985	Registered Professional Nurse	Substantial revision X
Chp. 2	1985	Licensed Practical Nurse	Substantial revision X
Chp. 3	1985	General Requirements - Licensure	No action proposed
Chp. 4	1983	Disciplinary Action & Violations of Law	Revise and update N
Chp. 5	1993	Delegation	No action proposed
Chp. 6	1975	Administration of Medication	Repeal and replace X
Chp. 7	1983	Standards for Educational Programs	Revise and update N
Chp. 8	1993	Nurses in Advanced Practice	Currently under revision pursuant to 1995 PL 379 X
Chp. 9	1983	Advisory rulings	No action proposed
Chp. 10	1991	Intravenous Therapy	Revise and Update N

N = No Action

IP = In Progress

X = Completed

**MAINE BOARD OF OPTOMETRY
RULES REVIEW SUMMARY &
PROPOSED ACTION PLAN**

Maine Board of Optometry Rules Review Summary & Proposed Action Plan			
Chp. 1	1995	Examination; Fees; Approved Schools; Continuing Education	No action proposed
Chp. 2	1995	Advisory Rulings	No action proposed
Chp. 3	1995	Enforcement, , Disciplinary Procedures	No action proposed
Chp. 4	1993	Active Practice	Repeal - inconsistent with statute X

N = No Action

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MAINE BOARD OF OSTEOPATHIC LICENSURE
RULES REVIEW SUMMARY &
PROPOSED ACTION PLAN

Maine Board of Osteopathic Licensure - Rules Review Summary & Proposed Action Plan			
Chp. 2	1995	Physician Assistants	No action proposed
Chp. 3	1995	Physician Extenders	No action proposed
Chp. 20	1992	MLDP - Anesthesiology	Revise to maintain parity with Medical Board N
Chp. 22	1992	MLDP - Emergency Medicine	Revise to maintain parity with Medical Board N
Chp. 24	1992	MLDP - Obstetrics and Gynecology	Revise to maintain parity with Medical Board N
Chp. 26	1992	MLDP - Radiology	Revise to maintain parity with Medical Board N