

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-SIX

—
H.P. 620 - L.D. 961

**An Act to Address Maine's Health Care Workforce Shortage and Improve
Access to Care**

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

Whereas, certified nurse practitioners are highly qualified to meet the physical and mental health care needs of patients and are uniquely positioned to assist patients; and

Whereas, Maine recognizes 4 categories of nurses that may qualify to provide advanced practice registered nursing, but only certified nurse practitioners are subject to a 2-year supervision requirement; and

Whereas, that supervision requirement restricts the ability of highly qualified certified nurse practitioners to practice at the highest level of their license as advanced practice registered nurses; and

Whereas, this legislation authorizes the State Board of Nursing to modernize the current licensing requirements by establishing practice standards including the length of time a certified nurse practitioner must practice as an advanced practice registered nurse and any requirements for employment by a clinic or hospital that has a supervising nurse practitioner within the clinic or hospital serving in a mentorship role to a certified nurse practitioner; and

Whereas, these practice standards must be adopted as soon as possible to recognize the ability of certified nurse practitioners to serve the immediate health care needs of patients; and

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

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

Sec. 1. 32 MRSA §2102, sub-§2-A, as amended by PL 2007, c. 316, §1, is further amended by amending the 2nd blocked paragraph to read:

A Until the board has adopted rules to establish practice standards pursuant to section 2205-B, subsection 4-A, a certified nurse practitioner who qualifies as an advanced practice registered nurse must practice, for at least 24 months, under the supervision of a licensed physician or a supervising nurse practitioner or must be employed by a clinic or hospital that has a medical director who is a licensed physician. The certified nurse practitioner shall submit written evidence to the board upon completion of the required clinical experience.

Sec. 2. 32 MRSA §2102, sub-§10, ¶A, as enacted by PL 2007, c. 316, §2, is repealed and the following enacted in its place:

A. Met the requirements of section 2205-B, subsection 4-A specified by the board in rule;

Sec. 3. 32 MRSA §2102, sub-§10, ¶B, as enacted by PL 2007, c. 316, §2, is amended to read:

B. Practiced as an advanced practice registered nurse for a minimum of 5 years in the same ~~speciality~~ specialty;

Sec. 4. 32 MRSA §2205-B, sub-§4-A is enacted to read:

4-A. Approval of certified nurse practitioner. A certified nurse practitioner who qualifies as an advanced practice registered nurse must meet practice standards specified in rule by the board related to:

A. The length of time a certified nurse practitioner must practice as an advanced practice registered nurse;

B. Based on experience and licensing status, the minimum amount of time a certified nurse practitioner must practice with a supervising nurse practitioner serving in a mentorship role to the certified nurse practitioner;

C. The practice setting of a certified nurse practitioner, including consideration of any requirements for employment by a clinic or hospital that has a supervising nurse practitioner within the clinic or hospital serving in a mentorship role to a certified nurse practitioner; and

D. Any other factors determined necessary by the board.

A certified nurse practitioner shall demonstrate compliance with the practice standards required under this subsection in the form and manner required by the board. The board may adopt rules as necessary to implement the requirements of this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 5. State Board of Nursing rulemaking; submission of proposed practice standards. No later than March 15, 2026, the State Board of Nursing shall submit proposed practice standards for certified nurse practitioners, as required by the Maine Revised Statutes, Title 32, section 2205-B, subsection 4-A, to the Joint Standing Committee on Health Coverage, Insurance and Financial Services for review. The joint standing committee may report out a bill to the Second Regular Session of the 132nd Legislature relating to the practice standards for certified nurse practitioners. Notwithstanding Title 5, chapter 375, subchapter 2, the State Board of Nursing may not

adopt any rules before May 1, 2026 relating to the practice standards for certified nurse practitioners as required by Title 32, section 2205-B, subsection 4-A.

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