

130th MAINE LEGISLATURE

SECOND REGULAR SESSION-2022

Legislative Document

No. 1858

S.P. 633

In Senate, January 5, 2022

An Act Regarding Delegating Authority for Services Performed by Emergency Medical Services Personnel in Health Care Facilities

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Health Coverage, Insurance and Financial Services suggested and ordered printed.

h GT

DAREK M. GRANT Secretary of the Senate

Presented by Senator FARRIN of Somerset. Cosponsored by Senator: BLACK of Franklin, Representative: DUCHARME of Madison.

- 1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and
- 3 Whereas, current law authorizes licensed emergency medical services persons to 4 provide medical services in hospital settings under delegated authority if certain criteria are 5 met; and
- 6 **Whereas,** licensed emergency medical services persons who work in other health care 7 facility settings are not authorized to provide medical services in those settings under 8 delegated authority; and
- 9 Whereas, licensed emergency medical services persons who work in health care 10 facility settings that are not hospital settings need to be authorized to provide medical 11 services in those settings under delegated authority as soon as possible; and
- 12 Whereas, in the judgment of the Legislature, these facts create an emergency within 13 the meaning of the Constitution of Maine and require the following legislation as 14 immediately necessary for the preservation of the public peace, health and safety; now, 15 therefore,
- 16 Be it enacted by the People of the State of Maine as follows:
- 17
 Sec. 1. 32 MRSA §85, sub-§7, as enacted by PL 2019, c. 609, §1, is amended to

 18
 read:
- 7. Delegation. This chapter may not be construed to prohibit a person licensed as an
 emergency medical services person from rendering medical services in a hospital or other
 health care facility setting if those services are:
- A. Rendered in the person's capacity as an employee <u>or contracted agent</u> of the hospital
 <u>or health care facility;</u>
- B. Authorized by the hospital <u>or health care facility;</u> and
- 25 C. Delegated in accordance with section 2594-A or 3270-A.
- Emergency clause. In view of the emergency cited in the preamble, this legislation
 takes effect when approved.
- 28 SUMMARY
- This bill authorizes licensed emergency medical services persons to provide medical services in health care facility settings that are not hospital settings under delegated authority if certain criteria are met. Current law authorizes licensed emergency medical services persons to provide medical services in hospital settings under delegated authority.
- The bill also provides that the medical service must be rendered in the person's capacity as an employee or a contracted agent of the hospital or health care facility. Current law provides that the medical service must be rendered in the person's capacity as an employee of the hospital.