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An Act To Clarify and Update a Nurse's Authority To Administer Medication

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 1993, c. 600, Pt. A, §110, is further amended to read:

A. Diagnosis and treatment of human responses to actual or potential physical and emotional health problems through such services as case finding, health teaching, health counseling and provision of care supportive to or restorative of life and well-being and execution of the medical regimen as prescribed by a licensed ~~physician, podiatrist or dentist or otherwise legally authorized individual acting under the delegated authority of a physician, podiatrist or dentist~~medical professional operating within the scope of the licensed medical professional's authority to prescribe medications, substances or devices:

(1) "Diagnosis" in the context of nursing practice means that identification of and discrimination between physical and psychosocial signs and symptoms essential to effective execution and management of the nursing regimen. This diagnostic privilege is distinct from medical diagnosis;

(2) "Human responses" means those signs, symptoms and processes that denote the individual's health needs or reaction to an actual or potential health problem; and

(3) "Treatment" means selection and performance of those therapeutic measures essential to the effective management and execution of the nursing regimen;

SUMMARY

Current law allows a nurse to execute a medical regimen ordered by a licensed physician, podiatrist or dentist or an individual acting under the delegated authority of a physician, podiatrist or dentist. This bill aligns a nurse's authority so that it is consistent with existing law to execute a medical regimen if ordered by a licensed medical professional operating within the scope of the licensed medical professional's authority to prescribe medications, substances or devices.