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Date: (Filing No. H- )

**LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
125TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1145, L.D. 1560, Bill, “An Act To Update Professional and Occupational Licensing Statutes”

Amend the bill in Part D by striking out all of section 1 (page 12, line 7 in L.D.) and inserting the following:

**Sec. D-1. 32 MRSA §64-B**, as enacted by PL 2007, c. 402, Pt. E, §4, is amended to read:

**§64-B. Denial or refusal to renew license; disciplinary action**

In addition to the grounds enumerated in Title 10, section 8003, subsection 5-A, paragraph A, the board may deny a license, refuse to renew a license or impose the disciplinary sanctions authorized by Title 10, section 8003, subsection 5-A for:

- 1. Habitual substance abuse.** Habitual substance abuse that has resulted or is foreseeably likely to result in the licensee performing assigned services in a manner that endangers the health or safety of patients;
- 2. Mental or physical condition.** A professional diagnosis of a mental or physical condition that has resulted or may result in the licensee performing assigned services in a manner that endangers the health or safety of patients; or
- 3. False advertising.** Engaging in false, misleading or deceptive advertising.

~~If the factual basis of the complaint is or may be true and the complaint is of sufficient gravity to warrant further action, the board may request an informal conference with the licensee. The board shall provide the licensee with adequate notice of the conference and of the issues to be discussed. The conference must be conducted in executive session of the board, pursuant to Title 1, section 405, unless otherwise requested by the licensee. Statements made at the conference may not be introduced at a subsequent formal hearing unless all parties consent.'~~

Amend the bill by striking out all of Part E and inserting the following:

**COMMITTEE AMENDMENT**

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**'PART E**

**Sec. E-1. 32 MRSA §503-B**, as enacted by PL 2007, c. 402, Pt. H, §7, is amended to read:

**§503-B. Denial or refusal to renew license; disciplinary action**

In addition to the grounds enumerated in Title 10, section 8003, subsection 5-A, paragraph A, the board may deny a license, refuse to renew a license or impose the disciplinary sanctions authorized by Title 10, section 8003, subsection 5-A for:

- 1. Habitual substance abuse.** Habitual substance abuse that has resulted or is foreseeably likely to result in the applicant or licensee performing services in a manner that endangers the health or safety of patients;
- 2. Mental or physical condition.** A professional diagnosis of a mental or physical condition that has resulted or may result in the applicant or licensee performing services in a manner that endangers the health or safety of patients;
- 3. False advertising.** Engaging in false, misleading or deceptive advertising;
- 4. Nonchiropractic practice.** Offering health services outside the field of chiropractic; or
- 5. Fee-splitting.** Splitting or dividing a fee with an individual who is not an associate licensed as a chiropractor.

~~If the factual basis of a complaint that has been filed is or may be true, and the complaint is of sufficient gravity to warrant further action, the board may request an informal conference with the licensee. The board shall provide the applicant or licensee with adequate notice of the conference and of the issues to be discussed. The conference must be conducted in executive session of the board, pursuant to Title 1, section 405, unless otherwise requested by the applicant or licensee. Statements made at the conference may not be introduced at a subsequent formal hearing unless all parties consent.'~~

Amend the bill in Part L by inserting after section 1 the following:

**'Sec. L-2. 32 MRSA §14027, sub-§1**, as amended by PL 2009, c. 241, Pt. D, §3, is further amended to read:

- 1. Requirement.** As a prerequisite to renewal of a license, an applicant must have completed ~~the minimum hour requirements for continuing education in programs or courses approved by the appraiser qualifications board, which must include a 7 hour national uniform standards of professional appraisal practice update course completed in the even-numbered year as part of license renewal~~ continuing education as set forth by rules adopted by the board.

**SUMMARY**

This amendment makes technical corrections to the bill by repealing only the references to informal conferences for the Nursing Home Administrators Licensing Board and the Maine Board of Pharmacy within the Department of Professional and Financial

1 Regulation. The amendment replaces the current minimum hour requirements for  
2 continuing education courses for real estate appraisers with continuing education  
3 requirements that will be determined by rule by the Department of Professional and  
4 Financial Regulations, Board of Real Estate Appraisers.

5 **FISCAL NOTE REQUIRED**

6 **(See attached)**