

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

S.P. 39 - L.D. 47

**An Act to Amend the Law Governing Licensing Actions of the Emergency
Medical Services' Board**

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

Whereas, in 2019, the 129th Legislature enacted Public Law 2019, chapter 370, which gave the Emergency Medical Services' Board the authority to deny, refuse to renew or revoke an emergency medical services person's license; and

Whereas, prior to the enactment of Public Law 2019, chapter 370, the Emergency Medical Services' Board was not permitted to revoke emergency medical services licenses of emergency medical services personnel, but instead was required to request the Office of the Attorney General to file a complaint with the District Court to revoke a license; and

Whereas, language in the prior law referencing the revocation pathway through the Office of the Attorney General was not removed, which has created ambiguity; and

Whereas, it is imperative that this ambiguity be resolved as soon as possible to clarify the Emergency Medical Services' Board's authority over the licensing of emergency medical services personnel; 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 §90-A, sub-§4, ¶D, as amended by PL 2001, c. 229, §7, is further amended to read:

D. Except in the specific circumstances where Title 5, section 10004 may be invoked, if the board or its staff concludes that suspension beyond the authority conferred by section 88 ~~or revocation~~ of the license is in order, the board or its staff shall request the Attorney General to file a complaint in the District Court in accordance with Title 4,

chapter 5 and the Maine Administrative Procedure Act to commence either full or emergency proceedings.

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