



STATE OF MAINE  
BOARD OF NURSING  
158 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0158

JANET T. MILLS  
GOVERNOR

KIM ESQUIBEL, PHD, M.S.N., R.N.  
EXECUTIVE DIRECTOR

April 23, 2025

Senator Henry Ingwersen, Chair  
Representative Michele Meyer, Chair  
Committee on Health and Human Services  
100 State House Station  
Augusta, ME 04333

**RE: LD 1583 An Act Regarding Home Health Care and Hospice Services Ordered  
by a Health Care Provider Outside of Maine**

Dear Senator Ingwersen, Representative Meyers, and Members of the Committee:

The State Board of Nursing ("Board") licenses and regulates licensed practical nurses, registered professional nurses and advanced practice registered nurses in Maine. The Board is composed of 9 members – 5 actively practicing registered nurses, 1 actively practicing advanced practice registered nurse, 1 actively practicing licensed practical nurse and 2 public members. The Board's mission is to protect the public by licensing and regulating nurses, and approving prelicensure nursing education programs.

As written, this bill would allow a home health care or hospice provider, to deliver home health care or hospice services to a patient who resides in Maine based upon an order from a health care provider (advanced practice registered nurse) from another state or jurisdiction in the United States who is licensed and prescribes services pursuant to an in-person physical examination in the jurisdiction of licensure.

While the Board of Nursing (BON) appreciates the intent of the bill, the BON opposes the bill and has concerns for the following reasons:

1. The BON does not have jurisdiction over advanced practice registered nurses (APRNs) not licensed in Maine.
2. It is unclear how the requirement in sections 2145-A(1)(A) and 8641(1)(A), that the out-of-state provider (APRN) be licensed and in good standing in another state will be enforced.
3. It is unclear how the requirement in sections 2145-A(1)(B) and 8641(1)(B), that the health care provider (APRN) must prescribe home health or hospice care services pursuant to an



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in-person physical examination performed within the state or jurisdiction in which the health care provider is licensed will be enforced.

4. It is unclear how the requirement in sections 2145-A(2) and 8641(2), that the out-of-state referring provider (APRN) make every reasonable effort to contact the patient's primary care provider and obtain agreement of the primary care provider to order hospice services will be enforced. If no contact and/or agreement is made, it is unclear if the out-of-state healthcare provider (APRN) will be involved in the patient's care after ordering the home health care or hospice services. If the patient's condition changes and the home health care or hospice provider needs further guidance and/or orders to carry out the medical regime, is the health care provider (APRN) from the other state or jurisdiction in the United States the contact for further guidance/orders? Will that health care provider (APRN) travel to Maine to further evaluate the patient, if necessary, prior to giving additional orders? In the event a patient is harmed, the BON would have no authority and jurisdiction over the ordering health care provider (APRN) and leave the patient with no recourse. In addition, the nurse's home state lacks jurisdiction over care provided to Maine patients.
5. The bill may set a precedent that health care providers (APRNs) from another state or jurisdiction in the United States can treat Maine patients without holding an active Maine license.

Thank you for the opportunity to provide these comments on LD 1583.

Sincerely,

A handwritten signature in black ink that reads "Kim Esquibel". The signature is written in a cursive, flowing style.

Kim Esquibel, PhD, MSN, RN  
Executive Director