



TESTIMONY OF THE MAINE HOSPITAL ASSOCIATION

In Support Of

LD 2166

Resolve, Regarding Legislative Review of Chapter 6: Delegation of Nursing Activities and Tasks to Unlicensed Assistive Personnel by Registered Professional Nurses

February 10, 2026

Senator Bailey, Representative Mathieson, and members of the Health Coverage, Insurance and Financial Services Committee:

My name is Sally Weiss, and I am submitting testimony on behalf of the Maine Hospital Association in strong support of LD 2166. This resolve is necessary to allow the State Board of Nursing to formally adopt Chapter 6, governing the delegation of nursing activities and tasks to unlicensed assistive personnel (UAPs) by registered professional nurses.

Maine's hospitals are facing unprecedented and sustained workforce challenges at a time when patient demand remains high and hospital capacity is consistently stretched. Many hospitals across the state are operating at or above 90% capacity on a regular basis, limiting flexibility and placing immense strain on bedside staff, particularly nurses. In February 2026, the Maine Hospital Association collected workforce data showing that hospitals were actively recruiting for 450 full-time and 187 part-time registered nurse vacancies statewide. These numbers reflect a persistent shortage that directly impacts patient care, nurse well-being, and the overall resilience of Maine's health care system. Maine's Nursing Action Coalition reports that the nursing workforce shortage is due to Maine's aging population requiring increased intensity of nursing care.

RN delegation to trained unlicensed assistive personnel is one of several critical, evidence-based strategies to help address these challenges without compromising patient safety or professional nursing standards. Effective delegation allows registered nurses to practice at the top of their license, focusing their time and expertise on assessment, clinical judgment, care planning, and complex interventions, while appropriately delegating routine and supportive tasks. This team-

based approach improves workflow, reduces burnout, and enhances patient outcomes, particularly in high-acuity and high-volume settings.

Importantly, the law enacted by the Legislature in April 2024 (Public Law, Chapter 592) struck the right balance. It explicitly authorizes delegation while preserving the professional judgment and authority of the registered nurse. Nurses are not required to delegate, cannot be coerced into delegating, and retain full responsibility for determining whether delegation is appropriate in any given situation or care setting. These safeguards are clearly reflected in the Board of Nursing's proposed Chapter 6 rule.

Despite this clear legislative intent, nearly two years have passed since the enabling law was enacted, and the rule necessary to implement it has still not been finalized. During this time, the Board of Nursing has engaged in an extensive, consensus-based rulemaking process with stakeholders, revised the rule in response to committee feedback, and held a public hearing in November 2025. The repropoed rule was provisionally adopted by the Board in December 2025 and directly addresses concerns raised by the HCIFS Committee regarding task clarity, nurse responsibility, and protection against coercion.

LD 2166 is the final and necessary step to carry out the intent of the law the Legislature already passed. Without formal adoption of Chapter 6, registered nurses and health care organizations remain in limbo and are unable to fully implement a practice model that the Legislature has already determined to be appropriate, safe, and beneficial for Maine patients and nurses.

At a time of ongoing nurse shortages, sustained high hospital occupancy, and increasing care complexity, Maine cannot afford further delays. Supporting LD 2166 will provide clarity, consistency, and regulatory certainty, while reinforcing the central role of nurse professional judgment and enabling care teams to function more effectively.

For these reasons, the Maine Hospital Association respectfully urges the Committee to support LD 2166 and allow the State Board of Nursing to formally adopt Chapter 6, implementing the intent of the law and supporting nurses, patients, and hospitals across the State of Maine.

Thank you for your time and consideration.

Sally Weiss, Vice President, Workforce Policy & Strategic Initiatives

Maine Hospital Association