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TESTIMONY
IN SUPPORT OF

LD 2126, An Act Relating to Delegation of Nursing Activities and Tasks to Unlicensed Assistive Personnel
by Registered Professional Nurses

February 8, 2024

Before the Joint Standing Committee on Health Coverage, Insurance and Financial Services

Senator Bailey, Representative Perry and members of the Joint Standing Committee on Health Coverage and Financial Services, my name is Laura Harper. I am a Senior Associate for Moose Ridge Associates. I am here today to provide testimony on behalf of the Maine Long-Term Care Ombudsman Program in support of this legislation. The Ombudsman Program is a state-wide non-profit organization that provides advocacy for older adults and adults with disabilities who receive long-term services and supports throughout the state. We serve residents in nursing homes, residential care, assisted living facilities, and recipients of home care services. Additionally, we serve patients in hospitals who experience barriers in accessing long-term care services when they are ready for discharge.

This legislation amends the laws governing nursing to authorize the delegation of activities and tasks by a nurse to unlicensed assistive personnel. The bill requires the State Board of Nursing to adopt routine technical rules concerning delegation of RN tasks it considers necessary to ensure access to quality care for patients.

The Ombudsman Program consistently receives calls from home care consumers and their family members who are struggling to remain independent in the community due to a lack of RN staffing. Most commonly, consumers need support with wound care, medication management, and the monitoring of chronic health conditions such as Diabetes or Hypertension. Without proper care, consumers may have to utilize the Emergency Department when their conditions ultimately worsen, or they may be unable to remain in the community. With RN clinical oversight, consumers could benefit from trained unlicensed assistive personnel performing certain tasks providing them with the care they need.

The changes proposed by this legislation could be of great benefit in meeting the needs of home care consumers whose care requires certain tasks that could safely be delegated to unlicensed assistive personnel with RN oversight. As our state moves toward the expansion of home care services, this change will be beneficial in expanding access to care for older and disabled individuals who want to remain at home. It also offers the opportunity for an interdisciplinary team approach that supports improved quality of care. Additionally, this measure will be helpful in consideration of the shortage of RN staffing that has presented a significant barrier to home care across the state.

This legislation proposes implementation of nursing delegation adopted by most other states. It moves Maine forward in the expansion of access to appropriate and needed home care services. Based on our extensive experience serving home care consumers, we believe this change is needed.

Thank you for your consideration.