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**TESTIMONY OF KIM ESQUIBEL
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STATE BOARD OF NURSING
DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION**

NF/NA L.D. 1540

***“Resolve, to Direct the Department of Health and Human Services, Office of MaineCare
Services to Create the Complex Care Assistant Training Program”***

Reported by Senator Joseph Baldacci

**BEFORE THE JOINT STANDING COMMITTEE ON
HEALTH AND HUMAN SERVICES**

Public Hearing: April 14, 2025 at 10:00 am

Senator Ingwerson, Representative Meyer, and members of the Health and Human Services Committee. I am Kim Esquibel, Executive Director of the State Board of Nursing. I am here today to testify neither for nor against LD 1540.

The State Board of Nursing (“BON”) 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.

The Board of Nursing (BON) supports some aspects of LD 1540 and opposes others for the following reasons:

As written, LD 1540 would require the Board of Nursing to be part of a statewide working group known as the Complex Care Assistant Council to:

1. Develop a system of standards for a complex care assistant training program – to include training and qualification criteria for parents and guardians providing care to children with complex conditions in the home;
2. Work with private duty nursing agencies to establish a training schedule;



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3. Provide oversight for the training program, including credentialing, continuing education requirements, background checks, quality requirements and any other quality requirements and any other necessary aspects of oversight; and
4. Establish a requirement that complex care assistants work under the direction of a registered nurse visiting every 30 days and without disruption to services.

The BON supports the creation of a work group to study this issue as well as the BON's membership and participation on the work group. However, the BON opposes the language of LD1540 that requires the BON provide "oversight for the training program, including the credentialing, continuing education requirements, background checks, and any other quality requirements of oversight ." The BON licenses and regulates nurses in Maine. It does not regulate or oversee unlicensed assistive personnel such as Personal Support Specialists (PSS) or any other certified personnel such as certified nursing assistants (CNAs) and Certified Registered Medication Assistants (CRMAs), which are regulated by the Department of Health and Human Services (DHHS), Division of Licensing and Certification. The BON is quite willing to assist DHHS with developing a complex care assistant training program – as it has done with assisting DHHS in developing the CNA/CNA-M curricula; however, charging the BON with joint oversight of the training program – to include "credentialing, continuing education requirements, [and] background checks" – would require the BON to hire additional staff in order to meet this oversight requirement, which is beyond its statutory responsibilities.

The BON respectfully suggests that the language of LD 1540 be amended to delete any language that would require that it provide "oversight" to the training program and instead add language that would require DHHS to develop rules and curriculum for the complex care assistant training program in consultation with the BON.

Thank you for the opportunity to provide these comments on LD 1540. I am happy to answer any questions now or at the work session.