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**LD 2166 Resolve, Regarding Legislative Review of Chapter 6:
Delegation of Nursing Activities and Tasks to Unlicensed Assistive
Personnel by Registered Professional Nurses, a Major Substantive
Rule of the Department of Professional and Financial Regulation,
State Board of Nursing**

**Testimony in Support
February 11, 2026**

Senator Bailey, Representative Mathieson and members of the Health Coverage, Insurance and Financial Services Committee my name is Mikele Neal RN. I am the Associate Vice President of Nursing Services at Northern Light Eastern Maine Medical Center; I am speaking today on behalf of all our member organizations in support of this bill.

Maine is one of the few remaining states to establish rules defining RN delegation to unlicensed assistive personnel (UAP), given the tremendous changes occurring in healthcare the proposed rule is critically important. The law regarding coordination and oversight of unlicensed assistive personnel is no longer in effect and the 2024 law regarding RN delegation to UAP's must be supported by rules that reflect modern practice of professional nursing delegation to ensure safe, quality nursing care for patients throughout the State of Maine.

Registered nurses have many responsibilities. Nursing shortages, technological advances, increasing complexity in patient care, and continuous changes in healthcare in all care settings have made delegation in nursing essential. In the acute care setting nurse delegation to unlicensed assistive personnel will improve patient care by allowing UAP's to perform competency-based tasks allowing the RN to utilize this information to support nursing judgement and patient assessment.

Nursing professionals and patients in our care benefit when the RN role is focused on critical thinking to guide patient care. In 2019 the National Council of State Boards of Nursing and the American Nurses Association published joint guidelines on nursing delegation. The guidelines can be applied to RN's when delegating to unlicensed personnel.

The guidelines establish professional nursing standards regarding delegation – the five rights of delegation that are reflected in the proposed rule.

- Right Task
- Right Circumstance
- Right Person
- Right Direction and Communication
- Right Supervision and Evaluation

The proposed rule also reflects unique aspects of Maine's delegation law in that nurses cannot be required or coerced to delegate tasks to unlicensed personnel. The rule also includes examples of tasks that are appropriate for delegation to unlicensed assistive personnel and those tasks that may not be delegated. This will assist nurses in incorporating the delegation rule into professional practice.

The proposed rule has the necessary elements of effective regulatory policy. The definitions are clear and comprehensive for the purpose of the rule, and the responsibilities of the nurse align with national principles of delegation. The language of the rule provides registered nurses with an understandable and enforceable framework of responsibilities when delegating nursing tasks or activities in patient care settings.

We ask that you support this important legislation so the Maine State Board of Nursing can formally adopt the delegation rule. We look forward to creating nursing care policies and procedures to operationalize delegation of nursing activities to unlicensed assistive personnel in Northern Light Health care settings.