



STATE OF MAINE
DEPARTMENT OF PROFESSIONAL
& FINANCIAL REGULATION
OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION



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Governor

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Director

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**TESTIMONY OF
PENNY VAILLANCOURT, DIRECTOR**

**OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION
DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
IN OPPOSITION, IN PART, TO L.D. 2228**

“AN ACT TO ELIMINATE INACTIVE BOARDS AND COMMISSIONS”

**BEFORE THE JOINT STANDING COMMITTEE ON
STATE AND LOCAL GOVERNMENT**

PUBLIC HEARING: WEDNESDAY, MARCH 18, 2026

Senator Baldacci, Representative Beebe-Center, and Members of the Committee, I am Penny Vaillancourt, Director of the Office of Professional and Occupational Regulation (“OPOR”). OPOR has 38 licensing boards and programs including the Board of Respiratory Care Practitioners (“Board”). Thank you for the opportunity to provide testimony on behalf of OPOR regarding LD 2228.

The Board’s sole statutory purpose is to protect the public and it does so by identifying minimum standards for licensure, investigating allegations of unprofessional or incompetent practice and imposing discipline when deemed appropriate. The Board issues licenses to individuals seeking to practice as a respiratory care therapist, a respiratory care technician or a respiratory care trainee upon meeting the educational and examination requirements. Currently, there are 1,046 actively licensed respiratory care therapists, 138 actively licensed respiratory care technicians and 17 respiratory care trainees.

This bill is the biennial legislation to repeal currently inactive boards. Due to inactivity, Part A of the bill proposes to eliminate the Board of Respiratory Practitioners (“Board”) in two sections. Section A-1 (5 MRSA §12004-A, sub-§35) eliminates compensation for members of the Board. Section A-30 (32 MRSA §9703) eliminates the Board. OPOR opposes the repeal of these sections as the continued regulation of this profession is necessary to protect the public. There are pending complaint cases and applications for

licensure that have not moved forward in the administrative process due to circumstances outside of the Board's control.

The Board has not had sufficient appointed members to constitute a quorum and, therefore, has not been able to meet. The Board is comprised of five member seats, three of which are licensed respiratory care practitioners and two of which are public member seats. OPOR has been working with the Governor's Office of Boards and Commissions ("OBC") to identify interested and qualified candidates. According to the OBC there are now three qualified board member candidates. If those candidates move forward in the gubernatorial appointment process and complete the required paperwork by the Secretary of State ("SOS"), then quorum for this Board will be established and public meetings will be scheduled to continue its work.

Thank you for the opportunity to share our testimony and I would be happy to answer any questions now or at the work session.

