§949-G. Provision of volunteer health services or veterinary services; licensee discipline

1. Applicability of Maine scope of practice laws. Subject to subsections 2 and 3, a volunteer health practitioner shall adhere to the scope of practice for a similarly licensed practitioner established by the licensing provisions, practice acts or other laws of this State.
[PL 2017, c. 396, §5 (NEW).]

2. Applicability of scope of practice laws of state where practitioner is licensed. Except as otherwise provided in subsection 3, this chapter does not authorize a volunteer health practitioner to provide services that are outside the practitioner's scope of practice, even if a similarly licensed practitioner in this State would be permitted to provide the services.
[PL 2017, c. 396, §5 (NEW).]

3. Order modifying or limiting services. The Governor or the Governor's designee may issue an order that modifies or restricts the health services or veterinary services that volunteer health practitioners may provide pursuant to this chapter. Notwithstanding the Maine Administrative Procedure Act, an order issued pursuant to this subsection may take effect immediately, without notice or comment, and is legally enforceable.
[PL 2017, c. 396, §5 (NEW).]

4. Additional restrictions imposed by host entity. A host entity may restrict the health services or veterinary services that a volunteer health practitioner may provide pursuant to this chapter.
[PL 2017, c. 396, §5 (NEW).]

5. Unauthorized practice. A volunteer health practitioner does not engage in unauthorized practice unless the practitioner has reason to know of any limitation, modification or restriction under this section or that a similarly licensed practitioner in this State would not be permitted to provide the services. A volunteer health practitioner has reason to know of a limitation, modification or restriction or that a similarly licensed practitioner in this State would not be permitted to provide a service if:

A. The practitioner knows the limitation, modification or restriction exists or that a similarly licensed practitioner in this State would not be permitted to provide the service; or [PL 2017, c. 396, §5 (NEW).]

B. From all the facts and circumstances known to the practitioner at the relevant time, a reasonable person would conclude that the limitation, modification or restriction exists or that a similarly licensed practitioner in this State would not be permitted to provide the service. [PL 2017, c. 396, §5 (NEW).]

[PL 2017, c. 396, §5 (NEW).]

6. Volunteer health practitioner discipline. In addition to the authority granted by law of this State other than this chapter to regulate the conduct of health practitioners, a licensing board or other disciplinary authority in this State:

A. May discipline a health practitioner licensed in this State for conduct outside of this State in response to an out-of-state emergency; [PL 2017, c. 396, §5 (NEW).]

B. May discipline a health practitioner not licensed in this State for conduct in this State in response to an in-state emergency; and [PL 2017, c. 396, §5 (NEW).]

C. Shall report any discipline imposed upon a health practitioner licensed in another state to the appropriate licensing board or other disciplinary authority in any other state in which the practitioner is known to be licensed. [PL 2017, c. 396, §5 (NEW).]

[PL 2017, c. 396, §5 (NEW).]

7. Factors to be considered by disciplinary authority. In determining whether to impose discipline pursuant to subsection 6, a licensing board or other disciplinary authority shall consider the

circumstances in which the conduct took place, including any exigent circumstances, and the health practitioner's scope of practice, education, training, experience and specialized skill.
[PL 2017, c. 396, §5 (NEW).]

SECTION HISTORY

PL 2017, c. 396, §5 (NEW).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 132nd Maine Legislature and is current through October 1, 2026. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.