

§20102. Definitions**(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)****(WHOLE SECTION TEXT EFFECTIVE 1/1/27)**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

1. Allopathic physician. "Allopathic physician" means a physician who graduated from medical school with an M.D. degree.

[PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

2. Board. "Board" means the Maine Board of Medicine established in Title 5, section 12004-A, subsection 24-A.

[PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

3. Collaborative agreement. "Collaborative agreement" means a document agreed to by a physician associate and a physician that describes the scope of practice for the physician associate as determined by practice setting and describes the decision-making process for a health care team, including communication and consultation among health care team members.

[PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

4. Consultation. "Consultation" means engagement in a process in which members of a health care team use their complementary training, skill, knowledge and experience to provide the best care for a patient.

[PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

5. General business. "General business" means all board actions conducting public business, with the exception of disciplinary investigations, complaints and adjudicatory hearings resolving disciplinary matters involving licensees or applicants.

[PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

6. Health care team. "Health care team" means 2 or more health care professionals working in a coordinated, complementary and agreed-upon manner to provide quality, cost-effective, evidence-based care to a patient and may include a physician, physician associate, advanced practice nurse, nurse, physical therapist, occupational therapist, speech therapist, social worker, nutritionist, psychotherapist, counselor or other licensed professional.

[PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

7. License. "License" means a license, certificate, certification, registration, permit, approval or other similar document issued by the board to qualified individuals granting authority to engage in the practice of medicine.

[PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

8. Osteopathic physician. "Osteopathic physician" means a physician who graduated from medical school with a D.O. degree.

[PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

9. Physician. "Physician" means an allopathic or osteopathic physician or surgeon licensed by the board.

[PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

10. Physician associate. "Physician associate" means a physician associate licensed or privileged under chapter 145-A by the board.

[PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

11. Practice of medicine. "Practice of medicine" means diagnosing, relieving in any degree or curing, or professing or attempting to diagnose, relieve or cure a human disease, ailment, defect or

complaint, whether physical or mental, or of physical or mental origin, by attendance, surgery or advice or by prescribing or furnishing a drug, medicine, appliance, manipulation, method or therapeutic agent, including, but not limited to:

A. Advertising, holding out to the public or representing in any manner that an individual is authorized to practice medicine in this State; [PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

B. Offering or undertaking to prescribe, order, give or administer any drug or medicine for use by any other person; [PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

C. Offering or undertaking to prevent or to diagnose, correct or treat in any manner or by any means, methods or devices any disease, illness, pain, wound, fracture, infirmity, defect or abnormal physical or mental condition of any person; [PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (NEW).]

D. Offering or undertaking to perform any surgical operation upon any person; [PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

E. Rendering a written or otherwise documented medical opinion concerning the diagnosis or treatment of a patient or the actual rendering of treatment to a patient within a state by a physician located outside the state as a result of transmission of individual patient data by electronic or other means from within a state to the physician or the physician's agent; [PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

F. Rendering a determination of medical necessity or a decision affecting the diagnosis or treatment of a patient; [PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

G. Using the designation doctor, doctor of medicine, doctor of osteopathic medicine, doctor of osteopathy, physician, surgeon, physician and surgeon, Dr., M.D., D.O. or any combination of those designations in the conduct of any occupation or profession pertaining to the prevention, diagnosis or treatment of human disease or condition unless such a designation additionally contains the description of another branch of the healing arts for which an individual holds a valid license in the jurisdiction where the patient is located; and [PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

H. Maintaining adequate medical records pursuant to the standard of care. [PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

[PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

12. Prescription or legend drug. "Prescription or legend drug" has the same meaning as "prescription drug" in section 13702-A, subsection 30 and includes schedule II to schedule V drugs or other substances regulated under the federal Controlled Substances Act, 21 United States Code, Section 812.

[PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

13. Render medical services. "Render medical services" means to render health care services for the diagnosis, prevention, treatment, cure or relief of a health condition, injury or disease, including, but not limited to:

A. Advertising, holding out to the public or representing in any manner that an individual is authorized to render medical services in this State; [PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

B. Offering or undertaking to prescribe, order, give or administer any drug or medicine for use by any other person; [PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

C. Offering or undertaking to prevent or to diagnose, correct or treat in any manner or by any means, methods or devices any disease, illness, pain, wound, fracture, infirmity, defect or abnormal

physical or mental condition of any person; [PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

D. Offering or undertaking to perform any surgical operation upon any person; [PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

E. Rendering a written or otherwise documented medical opinion concerning the diagnosis or treatment of a patient or the actual rendering of treatment to a patient within a state by a physician associate located outside the state as a result of transmission of individual patient data by electronic or other means from within a state to the physician associate or the physician associate's agent; [PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

F. Rendering a determination of medical necessity or a decision affecting the diagnosis or treatment of a patient; [PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

G. Using the designation physician associate, physician assistant or P.A. or any combination of those designations in the conduct of any occupation or profession pertaining to the prevention, diagnosis or treatment of human disease or condition in the jurisdiction where the patient is located; and [PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

H. Maintaining adequate medical records pursuant to the standard of care. [PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

[PL 2025, c. 738, Pt. A, §7 (NEW); PL 2025, c. 738, Pt. A, §9 (AFF).]

SECTION HISTORY

PL 2025, c. 738, Pt. A, §7 (NEW). PL 2025, c. 738, Pt. A, §9 (AFF).

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