



Janet T. Mills
Governor

STATE OF MAINE
DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION
OFFICE OF PROFESSIONAL AND OCCUPATIONAL
REGULATION
35 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0035

Anne L. Head
Commissioner, DPFR
Director, OPOR

March 5, 2024

Senator Donna Bailey, Chair
Representative Anne Perry, Chair
Committee on Health Coverage, Insurance and Financial Services
100 State House Station
Augusta, ME 04333

Re: LD 227, *An Act Regarding Health Care in the State*

Dear Senator Bailey, Representative Perry, and Members of the Committee:

I am writing this letter on behalf of the Department of Professional and Financial Regulation's Office of Professional and Occupational Regulation ("OPOR"), an umbrella agency that supports several healthcare professional licensing boards, including the Board of Complementary Health Care Providers, the Board of Counseling Professionals Licensure, the Board of Social Worker Licensure, and the Board of Examiners of Psychologists. OPOR submits this testimony neither for nor against LD 227.

Rather than reiterate the testimony submitted by the Board of Medicine and the Board of Nursing, we instead refer to it by reference. Their letter testimony succinctly and accurately raises issues that would equally apply to the aforementioned healthcare professional licensing boards within OPOR. In particular, OPOR acknowledges there may be differing interpretations as to how a shield law will operate in practice in states participating in interstate licensing compacts. The interaction of a shield law with the laws and rules implementing an interstate compact will likely present novel issues that have not yet been tested. Only one interstate compact involving an OPOR licensing board has been active and issuing privileges to Maine licensees (PSYPACT), and, to our knowledge, there have been no joint investigations initiated between any of the PSYPACT member states. Therefore, the impact of a shield law on information sharing or issuing subpoenas on behalf of another compact member state will depend on a multitude of factors, including whether the other compact member states have adopted similar shield laws, as well as how a commission interprets the effect of a shield law in light of the existing duties and responsibilities that a state has as a member of the compact.

OFFICES: GARDINER ANNEX, 76 NORTHERN AVENUE, GARDINER, MAINE

PHONE: (207)624-8615 (VOICE)

TTY users: call Maine Relay 711

FAX: (207) 624-8637

LD 227
March 5, 2024
Page 2

Thank you for the opportunity to provide these comments regarding LD 227, and we would be happy to answer any questions at the work session.

Sincerely,

Kristin Racine

Deputy Director, Office of Professional and Occupational Regulation