



STATE OF MAINE
BOARD OF NURSING
158 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0158

JANET T. MILLS
GOVERNOR

KIM ESQUIBEL, PHD, M.S.N., R.N.
EXECUTIVE DIRECTOR

March 23, 2021

Senator Chip Curry, Chair
Representative Tiffany Roberts, Chair
Committee on Innovation, Development, Economic Advancement and Business
100 State House Station
Augusta, ME 04333

Re: LD 992 – “An Act to Prevent the Denial or Revocation of a Professional or Business License for a Violation Not Related to That Profession or Business”

Dear Senator Curry, Representative Roberts, and Distinguished Committee Members:

The State Board of Nursing (“Board”) licenses and regulates licensed practical nurses, registered professional nurses and advanced practice registered nurses in Maine. The Board is composed of 9 members – 5 actively practicing registered nurses, 1 actively practicing advanced practice registered nurse, 1 actively practicing licensed practical nurse and 2 public members. The Board’s mission is to protect the public by ensuring its licensees are professional, ethical and competent.

The Board offers the following comments in *opposition* of LD 992:

Due to the language “notwithstanding any other provision of law” the bill would prohibit the denial or revocation of a license based upon criminal convictions, which is currently permitted pursuant to the following laws:

- 32 M.R.S. § 2105-A(2)(G)) Subject to the limitations of Title 5, chapter 341, conviction of a crime that involves dishonesty or false statement or relates directly to the practice for which the licensee is licensed, or conviction of a crime for which incarceration for one year or more may be imposed. <http://legislature.maine.gov/statutes/32/title32sec2105-A.html>
- 5 M.R.S. §§ 5301- 5304 – Occupational License Disqualification On Basis of Criminal Record <http://legislature.maine.gov/statutes/5/title5ch341sec0.html>.



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PHONE: (207)287-1133

FAX: (207)287-1149

OFFICES LOCATED AT: 161 CAPITOL ST., AUGUSTA, ME
www.maine.gov/boardofnursing

Due to the language “notwithstanding any other provision of law” this bill would prohibit the denial of licenses, license renewals or the revocation of licenses for failing to comply with child support orders as provided by 10 M.R.S. § 8005.

<http://legislature.maine.gov/statutes/10/title10sec8005.html> and 19-A M.R.S. § 2201(7).

<http://legislature.maine.gov/statutes/19-A/title19-Asec2201.html>.

Due to the language “notwithstanding any other provision of law” this bill would prohibit the denial of licenses, license renewals or license extensions for failing to comply with the laws requiring the filing of taxes as provided by 26 M.R.S. § 1232.

<http://legislature.maine.gov/statutes/26/title26sec1232.html>.

Thank you for the opportunity to provide these comments regarding LD 992. I would be happy to answer any questions at the work session.

Sincerely,

A handwritten signature in black ink that reads "Kim Esquibel". The signature is written in a cursive style with a small dash above the letter 'i'.

Kim Esquibel, PhD, MSN, RN
Executive Director