



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 30, 2021

Senator Louis Luchini, Chair
Representative Chris Caiazzo, Chair
Joint Standing Committee on Veterans and Legal Affairs
100 State House Station
Augusta, ME 04333-0100

RE: ***LD 827 “An Act to Help Veterans Access Jobs, Education and Housing”***

Dear Senator Luchini, Representative Caiazzo and Members of the Committee:

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 on LD 827:

If the intent of LD 827 is for each professional licensing board within or affiliated with the department to adopt a process to facilitate qualified returning military veterans and qualified spouses of returning military veterans or of active duty service members to qualify for professional licenses granted by those boards, commissions, offices and agencies in an expeditious manner, the Board has an existing process in place.

- **Licensure by Endorsement:** 32 M.R.S. §2205-A & 2254-A. Licensure of persons licensed by another jurisdiction. These licensure regulations authorize the Board to grant licensure to an individual who holds an active, *unencumbered*, valid license in another state or territory of the United States. The Board provides the mechanism by which credentials are evaluated of persons educated and licensed in U.S. jurisdictions and territories, Canada or foreign countries. This process involves a review of educational preparation, as well as verification of appropriate testing mechanisms leading to original licensure through the NURSIS database. Public protection *is* accomplished by ensuring that only nurses with appropriate preparation, licensed through nationally recognized testing, are permitted to practice nursing in this state.



PRINTED ON RECYCLED PAPER

PHONE: (207)287-1133

FAX: (207)287-1149

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

Individuals can apply for Licensure by Endorsement on-line and upload required documents within minutes. Licenses are issued after review of applicant materials within 2-10 business days.

- **Temporary Authorization to Practice/Temporary License:** 32 M.R.S. §2103(4) and 10 M.R.S. §8003(5)(G) – these licensure regulations authorize the Board to grant a temporary authorization to practice to *any* individual who holds an active, valid license in another state or jurisdiction. The temporary authorization allows applicants to begin work more quickly while their permanent license applications are being processed. A temporary authorization to practice can be issued within hours of receipt of an online application and on-line verification of licensure in another state or U.S. territory.
- 10 M.R.S. §8011 already provides existing statutory authority for the Board to prioritize and issue licenses, including temporary licenses, to military veterans, active duty members and/or their spouses. Unlike the existing law, however, the language of LD 827 raises concerns.

The language in LD 827 to *require* each professional licensing board within or affiliated with the department to grant a license by endorsement or a temporary license to a person who holds a comparable license in another state and who is a returning military veteran, the qualified spouse of a returning military veteran or the qualified spouse of an active duty service member, does not account for applicants with licenses in other states that are subject to conditions, restrictions, suspensions or probations. In addition, the language does not account for applicants who may have had licenses in other jurisdictions revoked. Current law allows the Board to consider adverse action, conditions, restrictions, probation, revocations or suspensions on an applicant's license and any risk these may pose to the citizens of Maine.

Of note, Maine is a member of the Nurse Licensure Compact (NLC) (32 M.R.S., Chapter 31, Subchapter 2-A). Today, 34 states and 1 United States territory have joined the compact and an additional 8 states have introduced compact legislation. If an applicant meets the NLC uniform licensure requirements in his/her primary state of residence and is issued a multi-state license, he/she can practice on the home-state license in any of the 35 compact states. The NLC makes it unnecessary for a registered profession nurse (RN) and licensed practical nurse (LPN) to seek licensure in every jurisdiction and it provides for safeguards in place to ensure that nurse licensees are providing safe, competent nursing care to the citizens of Maine.

If the intent of LD 827 is to remove administrative barriers to license otherwise qualified military veterans, active duty members and/or their spouses on an expedited basis, the Board's existing regulations and processes accomplish that goal.

I would be happy to attend the scheduled work session and provide any additional information as needed.

Sincerely,



Kim Esquibel, PhD, MSN, RN
Executive Director

