**02-343**

**BOARD OF RESPIRATORY CARE PRACTITIONERS**

Maine Administrative Procedure Act

2014-2015 Regulatory Agenda

Prepared: July 28. 2014

AGENCY UMBRELLA-UNIT NUMBER: **02-343**

AGENCY NAME: Department of Professional & Financial Regulation. Office of Professional and Occupational Regulation, **Board of Respiratory Care Practitioners**

**CONTACT PERSON**: Geraldine L. Betts, Board Administrator, 35 State House Station, Augusta, ME 04333. Tel. (207) 624-8625. E-mail: [Geraldine.L.Betts@Maine.gov](mailto:Geraldine.L.Betts@Maine.gov) .

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA**: None

**EXPECTED 2014-2015 RULE-MAKING ACTIVITY**: The Board last amended its rules in May 2011. During this reporting period the Board may consider adjustments to rule chapters noted below if errors and omissions are discovered as a result of the recent amendments to the rules. The Board will continue to monitor rules for outdated or duplicative rules that may exist in 10 MRSA, Part 9, Chapter 901 and rules established by the Office of Professional and Occupational Regulation as authorized by 10 MRSA §8003 will be updated or repealed. Finally, the rules may be updated to reflect current practice expectations for the protection of the public being served as may be necessary.

**CHAPTER 1**: Definitions

STATUTORY AUTHORITY: 32 MRSA §9704

PURPOSE: Defines terms used throughout the Board's rules. The Board may review this chapter for conformance with statutes and make updates as may be necessary.

ANTICIPATED SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 2**: Advisory Rulings

STATUTORY AUTHORITY: 5 MRSA §§ 9001 and 9051 *et seq*., 32 MRSA §9704 PURPOSE: This chapter sets forth procedures for the issuance of advisory rulings by the board. This chapter may be subject to review for updates as may be necessary.

ANTICIPATED SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 3**: License Requirements for Respiratory Care Practitioners

STATUTORY AUTHORITY: 32 MRSA §§ 9702(6) and (7), 9704(1) and (2), 9705, 9706‑A, 9707-A. and 9711

PURPOSE: This chapter defines and describes eligibility requirements for Respiratory Therapists, Respiratory Care Technicians, temporary licensees and trainees. This chapter also sets forth license renewal procedures for Respiratory Therapists and Respiratory Care Technicians.

ANTICIPATED SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 6**: Code of Ethics

STATUTORY AUTHORI1Y: 32 MRSA §9704(2)

PURPOSE: These rules specify the manner in which respiratory care practitioners shall practice respiratory care. The Board may review this chapter and make changes to reflect current practice expectations for the protection of the public being served.

ANTICIPATED SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 7**: Standards of Professional Conduct

STATUTORY AUTHORI1Y: 32 MRSA §§ 9704(2) and 9713(2)(B)

PURPOSE: This chapter provides examples of inappropriate behaviors that would constitute "unprofessional conduct." The Board may review this for conformance with current statutes and make changes as needed.

ANTICIPATED SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated