**02-373**

**MAINE BOARD OF LICENSURE IN MEDICINE**

2019 - 2020 Regulatory Agenda

September 19, 2019

AGENCY UMBRELLA-UNIT NUMBER: **02-373**

AGENCY NAME: **Board of Licensure in Medicine**

**RULEMAKING LIAISON:** Maureen S. Lathrop, Administrative Assistant, 137 State House Station, Augusta, ME 04333-0137; (207) 287-3603; email: maureen.s.lathrop@maine.gov

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

**EXPECTED 2019 - 2020 RULE-MAKING ACTIVITY:**

**CHAPTER 1:** **Rule Regarding Physicians**

STATUTORY BASIS: 32 M.R.S. §§ 3269(1), (2), (3) & (7), 3271, 3280-A

PURPOSE: This chapter sets forth licensure and renewal requirements for medical doctors. The Board may propose changes as needed.

SCHEDULE FOR ADOPTION:

AFFECTED PARTIES: Applicants for licensure/renewal of licensure and patients

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CONTACT PERSON: Dennis E. Smith, Executive Director, 137 State House Station, Augusta, ME 04333-0137; (207) 287-3605; email: dennis.e.smith@maine.gov

**CHAPTER 2:** **Joint Rule Regarding Physician Assistants**

STATUTORY BASIS: 32 M.R.S. §§ 3269(7), 3270-E

PURPOSE: This chapter is a joint rule with the Board of Osteopathic Licensure that sets forth licensure, registration, scope of practice, supervision, notification and continuing medical education requirements for physician assistants. The Board may propose changes as needed.

SCHEDULE FOR ADOPTION:

AFFECTED PARTIES: Applicants for licensure/renewal of licensure and patients

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CONTACT PERSON: Dennis E. Smith, Executive Director, 137 State House Station, Augusta, ME 04333-0137; (207) 287-3605; email: dennis.e.smith@maine.gov

**CHAPTER 3: Professional Standards**

STATUTORY BASIS: 32 M.R.S. §3269(3)&(7)

PURPOSE: The Board may develop and propose a rule to define unprofessional conduct by physicians and physician assistants.

SCHEDULE FOR ADOPTION:

AFFECTED PARTIES: Physicians, physician assistants, and patients

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CONTACT PERSON: Dennis E. Smith, Executive Director, 137 State House Station, Augusta, ME 04333-0137; (207) 287-3605; email: dennis.e.smith@maine.gov

**CHAPTER 7 Rule Related to the Conduct of Adjudicatory Hearings**

STATUTORY BASIS: 32 M.R.S. §§ 3282-A, 3269(4)

PURPOSE: The Board may develop and propose a rule regarding the conduct of adjudicatory hearings.

SCHEDULE FOR ADOPTION:

AFFECTED PARTIES: Physicians, physician assistants, and patients

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CONTACT PERSON: Dennis E. Smith, Executive Director, 137 State House Station, Augusta, ME 04333-0137; (207) 287-3605; email: dennis.e.smith@maine.gov

**CHAPTER 8 Rule Related to Complaint Investigations and Complaint Reviews**

STATUTORY BASIS: 32 M.R.S. §§ 3282-A, 3269(8)

PURPOSE: The Board may develop and propose a rule regarding complaint investigations and complaint reviews.

SCHEDULE FOR ADOPTION:

AFFECTED PARTIES: Physicians, physician assistants, and patients

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CONTACT PERSON: Dennis E. Smith, Executive Director, 137 State House Station, Augusta, ME 04333-0137; (207) 287-3605; email: dennis.e.smith@maine.gov

**CHAPTER 12: Joint Rule Regarding Office Based Treatment of Opioid Use Disorder**

STATUTORY BASIS: 32 M.R.S. §3269(3)&(7)

PURPOSE: The proposed joint rule with the Board of Osteopathic Licensure and the Board of Nursing will establish standards to ensure safe and adequate office-based treatment of opioid use disorder.

SCHEDULE FOR ADOPTION: In process; anticipated completion 2020.

AFFECTED PARTIES: Physicians, physician assistants and patients

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CONTACT PERSON: Dennis E. Smith, Executive Director, 137 State House Station, Augusta, ME 04333-0137; (207) 287-3605; email: dennis.e.smith@maine.gov

**CHAPTER 21: Use of Controlled Substances for Treatment of Pain**

STATUTORY BASIS: Title 32 M.R.S. §3269(3)&(7)

PURPOSE: This chapter is a joint rule with the Board of Osteopathic Licensure and the Board of Nursing to ensure adequate relief of pain to the citizens of Maine. The Board plans to propose revisions to the rule to create exemptions for custodial care facilities and hospice care and to clarify exemptions to dosage limits and use of the CDC Guideline for prescribing opioids for chronic pain. The Board of Podiatric Medicine subsequently enacted an identical rule and will join the rule in connection with the planned proposed revisions.

SCHEDULE FOR ADOPTION: Anticipated completion 2020.

AFFECTED PARTIES: Physicians, physician assistants, and patients

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CONTACT PERSON: Dennis E. Smith, Executive Director, 137 State House Station, Augusta, ME 04333-0137; (207) 287-3605; email: dennis.e.smith@maine.gov

**CHAPTER X**

STATUTORY BASIS: Title 32 M.R.S. §3269(3)&(7)

PURPOSE: The Board may develop and propose a joint rule with the Maine Medical Marijuana Program regarding appropriate record keeping, the physician-patient relationship, unethical or unprofessional conduct, and standards of practice.

SCHEDULE FOR ADOPTION:

AFFECTED PARTIES: Physicians, physician assistants, and patients

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CONTACT PERSON: Dennis E. Smith, Executive Director, 137 State House Station, Augusta, ME 04333-0137; (207) 287-3605; email: dennis.e.smith@maine.gov