**02-373**

**MAINE BOARD OF LICENSURE IN MEDICINE**

2018-2019 Regulatory Agenda

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

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

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

**EXPECTED 2018 - 2019 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 revisions to the rule to clarify the requirements for maintaining an active “clinical” vs. “nonclinical” license.

SCHEDULE FOR ADOPTION: 2019

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

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**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 who are supervised by either allopathic or osteopathic physicians. The Board may propose revisions to the continuing medical education and clinical practice requirements for physician assistants.

SCHEDULE FOR ADOPTION: 2019

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

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**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: 2019

AFFECTED PARTIES: Physicians, physician assistants, and patients

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**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: 2019

AFFECTED PARTIES: Physicians, physician assistants, and patients

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**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: 2019

AFFECTED PARTIES: Physicians, physician assistants, and patients

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 10: Sexual Misconduct**

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

PURPOSE:This is a joint rule with the Board of Osteopathic Licensure. This chapter defines sexual misconduct by physicians and physician assistants, sets forth the range of sanctions applicable to violations of this rule. Proposed revisions to this chapter include identifying the factors the Boards should consider in imposing sanctions as well as prohibiting sexual misconduct with “key third parties” as defined in the rule.

SCHEDULE FOR ADOPTION: In process, anticipated completion 2018

AFFECTED PARTIES: Physicians, physician assistants and patients

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 12: Joint Rule Regarding Office Based Medication-Assisted Treatment of Opioid Use Disorder with Buprenorphine**

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 medication-assisted treatment of opioid use disorder in an office based setting.

SCHEDULE FOR ADOPTION: 2019

AFFECTED PARTIES: Physicians, physician assistants and patients

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**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, the Board of Licensure in Medicine and the Board of Nursing to insure adequate relief of pain to the citizens of Maine. The Board may propose revisions to the rule to create exemptions for applicability of certain portions of the rule for inpatients of medical facilities or custodial care facilities where controlled substances are dispensed or administered to the patient.

SCHEDULE FOR ADOPTION: 2019

AFFECTED PARTIES: Physicians, physician assistants, and patients

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated