**02-383**

**BOARD OF OSTEOPATHIC LICENSURE**

2020 - 2021 Regulatory Agenda

June 25, 2020

AGENCY UMBRELLA-UNIT NUMBER: **02-383**

AGENCY NAME: **Board of Osteopathic Licensure**

**RULEMAKING LIAISON**: Susan E. Strout, Executive Secretary, 142 State House Station, Augusta, ME 04333-0142. Telephone: (207) 287-2480. Email: [osteo.pfr@maine.gov](mailto:osteo.pfr@maine.gov) or [Susan.E.Strout@Maine.gov](mailto:Susan.E.Strout@Maine.gov).

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

**EXPECTED 2020 – 2021 RULE-MAKING ACTIVITY:**

**NEW RULE CHAPTER 1**: **Definitions**

STATUTORY BASIS: 32 M.R.S. §§ 2562 & 2581

PURPOSE: To define certain terms/words frequently used.

ANTICIPATED SCHEDULE: Winter/Spring 2021

AFFECTED PARTIES: Citizens and licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

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

STATUTORY BASIS: 32 M.R.S. §§ 2562 & 2581

PURPOSE: This rule, joint with the Board of Licensure in Medicine sets forth (including but not limited to) the terms for licensure, scope of practice, notification & continuing medical education (CME) requirements for physician assistants pursuant to Public Law Chapter 627 (March 18, 2020).

SCHEDULE FOR ADOPTION: Summer 2020

AFFECTED PARTIES: Citizens and licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**NEW RULE CHAPTER 7**: **Complaints, Investigations & Unprofessional Conduct, Disciplinary Actions**

STATUTORY BASIS: 32 M.R.S. §§ 2562 & 2581

PURPOSE: To protect the citizens of Maine, this rule will describe the procedure used by the Board when processing complaints and/or initiating its own complaints & investigations and will define (including but not limited to) those acts and/or omissions that constitute unprofessional conduct and unethical behavior.

ANTICIPATED SCHEDULE: Fall/Winter 2020

AFFECTED PARTIES: Citizens and licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**NEW RULE CHAPTER 8**: **Licensure & Renewal of Osteopathic Physicians**

STATUTORY BASIS: 32 M.R.S. §§ 2562 & 2581

PURPOSE: To protect the citizens of Maine, this chapter will clarify the statute for licensure and will describe requirements established by the Board for the licensing and renewal of osteopathic physicians.

ANTICIPATED SCHEDULE: Fall/Winter 2020

AFFECTED PARTIES: Citizens and licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**NEW RULE CHAPTER 9**: **Citing Costs/Issuing Citations & Fines**

STATUTORY BASIS: 32 M.R.S. §§ 2562 & 2581

PURPOSE: This chapter lists violations for which the Board may cite costs, issue a citation or administrative fine and describes the licensee's right to request a hearing and describes the time and manner in which the fine must be paid.

ANTICIPATED SCHEDULE: Fall/Winter 2020

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**AMEND EXISTING RULE CHAPTER 10**: **Sexual Misconduct**

STATUTORY BASIS: 32 M.R.S. §§ 2562 & 2581

PURPOSE: This rule, joint with the Board of Licensure in Medicine, defines sexual misconduct by physicians and physician assistants and sets forth the range of sanctions which are applicable to rule violations. The Boards hope to propose revisions to this chapter including identifying the factors to be considered by the Boards when contemplating action against a licensee.

ANTICIPATED SCHEDULE: Winter/Spring 2021

AFFECTED PARTIES: Citizens and licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**NEW RULE CHAPTER 11**: **Offer, Sale, Rental or Lease of Health-Related or Non-Health Related Goods**

STATUTORY BASIS: 32 M.R.S. §§ 2562 & 2581

PURPOSE: To establish policy and guidelines regarding the offer, sale, rental or lease of health-related or non-health related goods by a physician or physician assistant.

ANTICIPATED SCHEDULE: Fall/Winter 2020

AFFECTED PARTIES: Citizens and licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**AMEND EXISTING RULE CHAPTER 14**: **Continuing Medical Education**

STATUTORY BASIS: 32 M.R.S. §§ 2562 & 2581

PURPOSE: To update and clarify the continuing medical education (CME) requirements for osteopathic physicians.

ANTICIPATED SCHEDULE: Fall/Winter 2020

AFFECTED PARTIES: Citizens and licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**NEW RULE CHAPTER 15**: **Alternative Therapies**

STATUTORY BASIS: 32 M.R.S. §§ 2562 & 2581

PURPOSE: To clarify the professional responsibilities of those osteopathic physicians who utilize alternative therapies in their treatment of patients.

ANTICIPATED SCHEDULE: Winter/Spring 2020

AFFECTED PARTIES: Citizens and licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated