

Annual List of Rulemaking Activity
Rules Adopted January 1, 2022 to December 31, 2022
Prepared by the Secretary of State pursuant to 5 MRS §8053-A sub-§5

Agency name: Department of Professional and Financial Regulation,
Board of Licensure in Medicine

Umbrella-Unit: **02-373**

Statutory authority: 32 MRS §§ 3269(3), 3269(7)3300-AA, 3200-EE

Chapter numbers/titles: **Ch. 11**, Joint Rule Regarding Telehealth Standards of Practice

Filing numbers: **2022-139**

Effective date: 7/24/2022

Type of rules: Routine Technical

Emergency rule: No

Principal reason or purpose for rules:

(See Basis Statement)

Basis statement:

On June 21, 2021, Public Law Ch. 291 “An Act Regarding Telehealth Regulations” became law following emergency enactment. The law required licensing boards, including the Board of Licensure in Medicine, Board of Osteopathic Licensure, and State Board of Nursing, to adopt rules governing telehealth services by their licensees. The Board of Licensure in Medicine and Board of Osteopathic Licensure proposed amendments to an existing joint rule which was also adopted by the State Board of Nursing. The amended joint rule updates definitions to comport with definitions in PL Ch. 291 and includes terminology and requirements applicable to nurses.

Fiscal impact of rules:

Minimal

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Statutory authority: 32 MRS §§ 3269(3), 3269(7)3300-AA, 3200-EE

Chapter numbers/titles: **Ch. 12**, Joint Rule Regarding Office Based Treatment of
Opioid Use Disorder

Filing numbers: **2022-142**

Effective date: 7/24/2022

Type of rules: Routine Technical

Emergency rule: No

Principal reason or purpose for rules:

To amend an existing joint rule to update the definition of telemedicine to telehealth to comport with the definition in PL 2021 ch. 291, “An Act Regarding Telehealth Regulations”.

Basis statement:

The Board of Licensure in Medicine, the Board of Osteopathic Licensure, and the State Board of Nursing (Boards) were created by the Legislature with the sole purpose of protecting the public. 10 MRS §8008 provides:

§8008. Purpose of occupational and professional regulatory boards

The sole purpose of an occupational and professional regulatory board is to protect the public health and welfare. A board carries out this purpose by ensuring that the public is served by competent and honest practitioners and by establishing minimum standards of proficiency in the regulated professions by examining, licensing, regulating and disciplining practitioners of those regulated professions. **Other goals or objectives may not supersede this purpose.**

Fiscal impact of rules:

Minimal