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27 Years of Independent Practice as Healthcare Providers for the People of Maine

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**Testimony in Opposition to LD 364
An Act to Establish the right To Practice Complementary and Alternative Care Act.**

Senator Sanborn, Representative Tepler and Members of the Health Coverage, Insurance & Financial Services Committee

My name is Pamela Cahill and I am the Executive director of the Maine Nurse Practitioner Association.

The bill creates a new category of health care providers that are unlicensed and therefore unaccountable to any licensing authority and may or may not have any initial or continuing education or training in any related health care field.

There is no definition of health care services contained in the bill, allowing this unlicensed provider to determine what constitutes the "health care service" which they will provide. In other words, there is no "scope of practice" in this proposed new law.

If we assume that the purpose of licensing health care providers is to protect the public, then the question we should ask is how is the public protected from this category of provider? But if we assume the only purpose of licensing is to increase the status of providers in the eyes of the public, then perhaps the bill makes some sense.

Sec, 12602, Sub 1 of the bill provides a list of things that an unlicensed person can not do such as, surgery, setting fractures or performing any other procedure on a person that punctures the skin, administering or prescribing radiation, including x-ray radiation, prescribing or administering medications, drugs or devices that require a prescription, recommending the discontinuance of medications or drugs or the use of devices prescribed by a licensed health care professional, performing chiropractic adjustment of joints or spine.

Therefore, these unlicensed providers can perform an exhaustive list of things normally assigned to a licensed health care provider. A few examples would be:

- Counseling, meaning to provide advice and/or making recommendations to patients based on mutual exchange of ideas or information
- Diagnosis meaning to identify actual or potential health problems or need for intervention, based on analysis of the data collected
- Evaluations, including but not limited to mental health evaluations, meaning to determine the effectiveness of interventions on health status of patients
- Procedures such as pelvic, breast, rectal exams, wound care
- Osteopathic manipulation (although the bill prohibits the provider from performing chiropractic

adjustment)

- Mental health diagnosis and therapy
- Occupational therapy
- Physical therapy
- Dental hygiene
- Consultations

This bill, creating a new category of unlicensed “health care” providers, provides no recourse or protection to the public and undermines the basic idea of why licenses are required. The Maine Nurse Practitioner Association urges you to reject LD 364.

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