

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 32 MRSA §2102, sub-§2, ¶A,** as amended by PL 1993, c. 600, Pt. A,  
3 §110, is further amended to read:

4 A. Diagnosis and treatment of human responses to actual or potential physical and  
5 emotional health problems through such services as case finding, health teaching,  
6 health counseling and provision of care supportive to or restorative of life and  
7 well-being and execution of the medical regimen as prescribed by a licensed  
8 ~~physician, podiatrist or dentist or otherwise legally authorized individual acting under~~  
9 ~~the delegated authority of a physician, podiatrist or dentist~~ medical professional  
10 operating within the scope of the licensed medical professional's authority to  
11 prescribe medications, substances or devices:

12 (1) "Diagnosis" in the context of nursing practice means that identification of  
13 and discrimination between physical and psychosocial signs and symptoms  
14 essential to effective execution and management of the nursing regimen. This  
15 diagnostic privilege is distinct from medical diagnosis;

16 (2) "Human responses" means those signs, symptoms and processes that denote  
17 the individual's health needs or reaction to an actual or potential health problem;  
18 and

19 (3) "Treatment" means selection and performance of those therapeutic measures  
20 essential to the effective management and execution of the nursing regimen;

21 **SUMMARY**

22 Current law allows a nurse to execute a medical regimen ordered by a licensed  
23 physician, podiatrist or dentist or an individual acting under the delegated authority of a  
24 physician, podiatrist or dentist. This bill aligns a nurse's authority so that it is consistent  
25 with existing law to execute a medical regimen if ordered by a licensed medical  
26 professional operating within the scope of the licensed medical professional's authority to  
27 prescribe medications, substances or devices.