

Rulemaking Fact Sheet
[5 MRSA §8057-A]

AGENCY: Department of Health and Human Services, Division of Licensing and Certification

NAME, ADDRESS, PHONE NUMBER, E-MAIL OF AGENCY CONTACT PERSON:

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CHAPTER NUMBER AND RULE TITLE:

10-144 CMR Ch. 111, Temporary Nurse Agency Registration Rule

STATUTORY AUTHORITY:

22 MRS §§ 42, 2131 and 2136-2139.

DATE, TIME AND PLACE OF PUBLIC HEARING:

Thursday, November 16, 2023, 9 am to 11 am, 41 Anthony Avenue, Augusta, ME

COMMENT DEADLINE:

5 pm, Thursday, November 30, 2023

PRINCIPAL REASON(S) OR PURPOSE FOR PROPOSING THIS RULE: [*see* §8057-A(1)(A)&(C)]

The new routine technical rule is required due to the statutory changes in 22 MRS §2131 enacted by PL 2023 Ch. 434.

IS MATERIAL INCORPORATED BY REFERENCE IN THE RULE? YES NO [§8056(1)(B)]

ANALYSIS AND EXPECTED OPERATION OF THE RULE: [*see* §8057-A(1)(B)&(D)]

The registration of Temporary Nurse Agencies will be regulated by the Division of Licensing and Certification, in accordance with the provisions of this new rule.

BRIEF SUMMARY OF RELEVANT INFORMATION CONSIDERED DURING DEVELOPMENT OF THE RULE (including up to 3 primary sources relied upon) [*see* §§8057-A(1)(E) & 8063-B]

The Division considered the content of PL 2023 Ch. 434 and the Department's prior experience with the registration of Temporary Nurse Agencies under the authority of 22 MRS §2131.

ESTIMATED FISCAL IMPACT OF THE RULE: [*see* §8057-A(1)(C)]

The new registration fee and mandated annual reporting requirements will have a minor financial impact on Temporary Nurse Agencies.

The rulemaking will require funding one new position within the Department for the tracking of registrations, conducting complaint investigations, gathering data, and producing an annual report; at an anticipated cost of \$108,698 for Fiscal Year 2023-2024 and \$114,331 for Fiscal Year 2024-2025.

FOR EXISTING RULES WITH FISCAL IMPACT OF \$1 MILLION OR MORE, ALSO INCLUDE:

ECONOMIC IMPACT, WHETHER OR NOT QUANTIFIABLE IN MONETARY TERMS:
[see §8057-A(2)(A)]

INDIVIDUALS, MAJOR INTEREST GROUPS AND TYPES OF BUSINESSES AFFECTED AND HOW
THEY WILL BE AFFECTED: [see §8057-A(2)(B)]

BENEFITS OF THE RULE: [see §8057-A(2)(C)]

Note: If necessary, additional pages may be used.