



131st MAINE LEGISLATURE

SECOND REGULAR SESSION-2024

Legislative Document

No. 2122

H.P. 1346

House of Representatives, January 3, 2024

**An Act to Create Parity in the Licensing of Emergency Medical
Services Professionals and Other Health Care Professionals Who
Enter Private Residences**

Submitted by the Department of Public Safety pursuant to Joint Rule 203.
Reference to the Committee on Health Coverage, Insurance and Financial Services
suggested and ordered printed.

A handwritten signature in black ink, reading "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative CYRWAY of Albion.

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

2 **Sec. 1. 22 MRSA §9067** is enacted to read:

3 **§9067. Background checks for emergency medical services persons and emergency**
4 **medical services ambulance operators**

5 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
6 following terms have the following meanings.

7 A. "Emergency medical services ambulance operator" has the same meaning as in Title
8 32, section 83, subsection 12-A.

9 B. "Emergency medical services person" has the same meaning as in Title 32, section
10 83, subsection 12.

11 C. "Maine Emergency Medical Services" has the same meaning as in Title 32, section
12 83, subsection 16-A.

13 **2. Authorization.** For the purposes of this chapter, Maine Emergency Medical
14 Services may function as an employer to seek background check information through the
15 Background Check Center on an applicant for licensure or relicensure under Title 32,
16 chapter 2-B as an emergency medical services ambulance operator or an emergency
17 medical services person.

18 **3. Background check report content.** Maine Emergency Medical Services is entitled
19 to all information obtained through the background check and rap back monitoring
20 program, including offenses that would not be considered disqualifying or potentially
21 disqualifying offenses under this chapter, for an applicant for licensure or relicensure under
22 Title 32, chapter 2-B as an emergency medical services ambulance operator or an
23 emergency medical services person.

24 **4. Fees.** Maine Emergency Medical Services may pass any fees or charges associated
25 with participation in the Background Check Center on to an applicant for licensure or
26 relicensure under Title 32, chapter 2-B as an emergency medical services ambulance
27 operator or an emergency medical services person.

28 **5. Waiver of penalties.** Maine Emergency Medical Services is not subject to the
29 penalties specified in section 9062.

30 **Sec. 2. 32 MRSA §85, sub-§3,** as amended by PL 2013, c. 267, Pt. B, §25, is further
31 amended by amending the first blocked paragraph to read:

32 The board shall obtain criminal history record information containing a record of public
33 criminal history record information as defined in Title 16, section 703, subsection 9 8 for
34 an applicant seeking licensure under this subsection. Information obtained pursuant to this
35 subsection is confidential and may be used only to determine suitability for issuance of a
36 license to provide emergency medical services. The results of criminal history record
37 information checks received by the board are for official use only and may not be
38 disseminated outside the board. The applicant for licensure shall pay the expense of
39 obtaining the information required by this subsection. The board may use the Background
40 Check Center as defined in Title 22, section 9053, subsection 4 to conduct background
41 checks for initial licensure of an emergency medical services person.

Sec. 3. 32 MRSA §85, sub-§4, as amended by PL 2011, c. 271, §9, is further amended by enacting a new first blocked paragraph to read:

The board shall obtain criminal history record information containing a record of public criminal history record information as defined in Title 16, section 703, subsection 8 for an applicant seeking relicensure under this subsection. Information obtained pursuant to this subsection is confidential and may be used only to determine suitability for renewal of a license to provide emergency medical services. The results of criminal history record information checks received by the board are for official use only and may not be disseminated outside the board. The applicant for relicensure shall pay the expense of obtaining the information required by this subsection. The board may use the Background Check Center as defined in Title 22, section 9053, subsection 4 to conduct background checks for relicensure.

Sec. 4. 32 MRSA §85-B, sub-§2, as enacted by PL 2021, c. 220, §3, is amended to read:

2. Background check. The board shall obtain criminal history record information containing a record of public criminal history record information as defined in Title 16, section 703, subsection 8 for an applicant for licensure under this section. Information obtained pursuant to this subsection is confidential and may be used only to determine suitability for issuance of a license to operate an emergency medical services ambulance. The results of criminal history record information checks received by the board are for official use only and may not be disseminated outside the board. The applicant for licensure shall pay the expense of obtaining the information required by this subsection. The board may use the Background Check Center as defined in Title 22, section 9053, subsection 4 to conduct background checks for initial licensure or relicensure of an emergency medical services ambulance operator.

SUMMARY

This bill authorizes the use of the Background Check Center within the Department of Health and Human Services by Maine Emergency Medical Services within the Department of Public Safety to conduct background checks for persons seeking to be licensed or relicensed as an emergency medical services person or an emergency medical services ambulance operator.