

§949-A. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 2017, c. 396, §5 (NEW).]

1. Disaster relief organization. "Disaster relief organization" means an entity that provides emergency or disaster relief services that include health services or veterinary services provided by volunteer health practitioners as long as the entity:

A. Is designated or recognized as a provider of those emergency or disaster relief services pursuant to a disaster response and recovery plan adopted by an agency of the Federal Government or the Maine Emergency Management Agency; or [PL 2017, c. 396, §5 (NEW).]

B. Regularly plans and conducts its activities in coordination with an agency of the Federal Government, the Maine Emergency Management Agency or the Department of Health and Human Services. [PL 2017, c. 396, §5 (NEW).]

[PL 2017, c. 396, §5 (NEW).]

2. Emergency. "Emergency" means an event or condition that is an actual or imminent civil emergency or disaster or an actual or threatened epidemic or public health threat that is the subject of an emergency proclamation pursuant to section 742 or an emergency declaration pursuant to Title 22, section 802.

[PL 2017, c. 396, §5 (NEW).]

3. Emergency declaration. "Emergency declaration" means a declaration or proclamation of emergency issued by a person authorized to do so under the laws of this State.

[PL 2017, c. 396, §5 (NEW).]

4. Emergency Management Assistance Compact. "Emergency Management Assistance Compact" means the interstate compact approved by the United States Congress in Public Law 104-321 (1996) and adopted by this State in chapter 16.

[PL 2017, c. 396, §5 (NEW).]

5. Entity. "Entity" means a person other than an individual.

[PL 2017, c. 396, §5 (NEW).]

6. Health facility. "Health facility" means an entity licensed under the laws of this State or another state to provide health services or veterinary services.

[PL 2017, c. 396, §5 (NEW).]

7. Health practitioner. "Health practitioner" means an individual licensed under the laws of this State or another state to provide health services or veterinary services.

[PL 2017, c. 396, §5 (NEW).]

8. Health services. "Health services" means the provision of treatment, care, advice or guidance or other services or supplies related to the health or death of individuals or human populations, to the extent necessary to respond to an emergency, including:

A. The following, concerning the physical or mental condition or functional status of an individual or affecting the structure or function of the body:

(1) Preventive, diagnostic, therapeutic, rehabilitative, maintenance or palliative care; and

(2) Counseling, assessment, procedures or other services; [PL 2017, c. 396, §5 (NEW).]

B. The sale or dispensing of a drug, a device, equipment or another item to an individual in accordance with a prescription; and [PL 2017, c. 396, §5 (NEW).]

C. Funeral, cremation, cemetery or other mortuary services. [PL 2017, c. 396, §5 (NEW).]

[PL 2017, c. 396, §5 (NEW).]

9. Host entity. "Host entity" means an entity operating in this State that uses volunteer health practitioners to respond to an emergency.

[PL 2017, c. 396, §5 (NEW).]

10. International Emergency Management Assistance Compact. "International Emergency Management Assistance Compact" means the mutual assistance compact described in chapter 16-A.

[PL 2017, c. 396, §5 (NEW).]

11. License. "License" means authorization by a state to provide health services or veterinary services that are unlawful without the authorization. "License" includes authorization under the laws of this State to an individual to provide health services or veterinary services based upon a national certification issued by a public or private entity.

[PL 2017, c. 396, §5 (NEW).]

12. Person. "Person" means an individual, corporation, business trust, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency or instrumentality or any other legal or commercial entity.

[PL 2017, c. 396, §5 (NEW).]

13. Scope of practice. "Scope of practice" means the extent of the authorization to provide health services or veterinary services granted to a health practitioner by a license issued to the practitioner in the state in which the principal part of the practitioner's services are rendered, including any conditions imposed by the licensing authority.

[PL 2017, c. 396, §5 (NEW).]

14. State. "State" means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, any territory or insular possession subject to the jurisdiction of the United States or a Canadian province that is a party to the International Emergency Management Assistance Compact.

[PL 2017, c. 396, §5 (NEW).]

15. Veterinary services. "Veterinary services" means the provision of treatment, care, advice or guidance or other services or supplies related to the health or death of an animal or to animal populations, to the extent necessary to respond to an emergency, including:

A. Diagnosis, treatment or prevention of an animal disease, injury or other physical or mental condition by the prescription, administration or dispensing of vaccine, medicine, surgery or therapy; [PL 2017, c. 396, §5 (NEW).]

B. Use of a procedure for reproductive management; and [PL 2017, c. 396, §5 (NEW).]

C. Monitoring and treatment of animal populations for diseases that have spread or demonstrate the potential to spread to humans. [PL 2017, c. 396, §5 (NEW).]

[PL 2017, c. 396, §5 (NEW).]

16. Volunteer health practitioner. "Volunteer health practitioner" means a health practitioner who provides health services or veterinary services while an emergency declaration is in effect, whether or not the practitioner receives compensation for those services. "Volunteer health practitioner" does not include a practitioner who receives compensation pursuant to a preexisting employment relationship with a host entity or affiliate that requires the practitioner to provide health services in this State, unless the practitioner is not a resident of this State and is employed by a disaster relief organization providing services in this State while an emergency declaration is in effect.

[PL 2017, c. 396, §5 (NEW).]

SECTION HISTORY

PL 2017, c. 396, §5 (NEW).

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