### STANDING ORDERS: Health Professionals & Immunization Practice

#### MAINE

<table>
<thead>
<tr>
<th>Health Professional</th>
<th>Assessment</th>
<th>Prescription</th>
<th>Administration</th>
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<td></td>
<td>Own Authority</td>
<td>Delegated Authority</td>
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<td>Advanced Practice</td>
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<td>Physician Assistant</td>
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### NOTES:

1. **Immunization Practice:** Includes the assessment of patient status, the prescription of appropriate vaccines, and the administration of vaccines.

2. **Delegated Authority:** May include the following terms: standing orders, protocol, collaborative agreement, direct or indirect supervision, at the direction of another provider, as ordered by another provider, or as prescribed by another provider.

3. **Legal Interpretation—Nurses:** Registered Nurses retain all authority granted to Practical Nurses and Vocational Nurses. Nurses engaging in advanced practice (Advanced Practice, Clinical Nurse Spec., and Nurse Practitioner) retain all authority granted to Registered Nurses, Practical Nurses, and Vocational Nurses.

4. **Legal Interpretation—Midwives:** Because midwives are not nurses in all states, they are identified as a separate professional category. When midwives are nurses, the following interpretations apply: Midwives who are identified as Registered Nurses retain all authority granted to Practical Nurses and Vocational Nurses. Midwives who engage in advanced practice retain all authority granted to Registered Nurses, Practical Nurses, and Vocational Nurses.

5. **Gray box:** Provider practices within the state, however the state has no relevant law addressing this element.

### MIDWIFE

- **2-A. Advanced practice registered nursing**
  A certified nurse midwife who qualifies as an advanced practice registered nurse may prescribe and dispense drugs or devices, or both, in accordance with rules adopted by the board.

- **5-A. Advanced practice registered nurse**
  “Advanced practice registered nurse” includes a certified nurse midwife who are licensed under this chapter to practice advanced practice registered nursing.

### Definitions

- **4. Requirements for authorized prescription and dispensing**
  Drugs in the formulary may be prescribed, administered, dispensed, or distributed in combination.

### Code of Maine Rules 02-380 Ch. 8, § 6 (2012) General Regulations Relating to Prescriptive and Dispensing Authority for Certified Nurse Practitioners and Certified Nurse-Midwives

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**Maine—Page 1**
1. General regulations relating to the formulary

A. Certified nurse-midwives are authorized to prescribe the following: (1) over-the-counter drugs (2) appliances and devices (3) drugs related to the specialty area of certification. (4) drugs prescribed off label according to common and established standards of practice. . . .

Code of Maine Rules 02-380 Ch. 8, § 7 (2012)

Formulary for Certified Nurse Practitioners and Certified Nurse-Midwives with Prescriptive Authority

NURSES

Clinical Nurse Spec.

. . . D. Certified clinical nurse specialist. . . The certified clinical nurse specialist . . (2) evaluates client progress in attaining expected outcomes. . . .

Code of Maine Rules 02-380 Ch. 8, § 1 (2012)

Definitions, Special Provisions, and Scopes of Practice

Nurse Practitioner

. . . 2-A. Advanced practice registered nursing. . . A certified nurse practitioner . . who qualifies as an advanced practice registered nurse may prescribe and dispense drugs or devices, or both, in accordance with rules adopted by the board. . . .

Advanced practice registered nurse . . . “Advanced practice registered nurse” includes a certified nurse practitioner . . . who are licensed under this chapter to practice advanced practice registered nursing. . . .


Definitions

. . . 3. Scopes of Practice A. Certified nurse practitioner. The certified nurse practitioner shall provide only those health care services for which the certified nurse practitioner is educationally and clinically prepared, and for which competency has been maintained. The Board reserves the right to make exceptions. Such health care services, for which the certified nurse practitioner is independently responsible and accountable, include: (1) obtaining a complete health data base that includes a health history, physical examination, and screening and diagnostic evaluation (2) interpreting health data by identifying wellness and risk factors and variations from norms (3) diagnosing and treating common diseases and human responses to actual and potential health problems . . . .

Code of Maine Rules 02-380 Ch. 8, § 1 (2012)

Definitions, Special Provisions, and Scopes of Practice

. . . 4. Requirements for authorized prescription and dispensing . . . C. Drugs in the formulary may be prescribed, administered, dispensed, or distributed in combination. . . .

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Code of Maine Rules 02-380 Ch. 8, § 7 (2012)

Formulary for Certified Nurse Practitioners and Certified Nurse-Midwives with Prescriptive Authority

. . . “Physician extender” means a nurse practitioner . . . .

Code of Maine Rules 02-383 Ch. 3, § 1 (2012)

Definitions

A. DELEGATED AUTHORITY Physician extenders may only perform those medical activities which the supervising physician has delegated to the physician extender. Medical activities which may be delegated include the following . . . (2) The prescribing and dispensing of drugs and medical devices to the extent permitted by state and federal law. Prescribing and dispensing of drugs may include Schedule III through V substances and all legend drugs. . . .

Code of Maine Rules 02-383 Ch. 3, § 6 (2012) Scope of Practice
Practical Nurse

2. Professional nursing. Delegation of selected nursing services to licensed practical nurses when the services use standardized protocols and procedures leading to predictable... in the maintenance of health; in action to safeguard life and health; and in the administration of medications and treatments prescribed by an individual authorized by state law to prescribe...

3. Practical nursing. The practice of “practical nursing” means performing tasks and responsibilities, by a licensed practical nurse, for compensation within a structured health care setting, reinforcing the patient and family teaching program through health teaching, health counseling and provision of supportive and restorative care, under the direction of a registered nurse or licensed or otherwise legally authorized physician, podiatrist or dentist. . . .32 Maine Rev. Stat. § 2102 (2012) Definitions

A. Certificate of Immunization/Proof of Immunity 1. To demonstrate adequate immunization against each disease, a student shall present the school with a Certificate of Immunization from a... nurse... who has administered the immunizing agent(s) to the student.... Code of Maine Rules 10-144 Ch. 262, § 4 (2012) Certificate of Immunization; Evidence of Immunity

Registered Nurse

2. Professional nursing. The practice of “professional nursing” means the performance by a registered professional nurse... of professional services defined as follows: A. Diagnosis and treatment of human responses to actual or potential physical... health problems through such services as case finding, health teaching, health counseling and provision of care supportive to... well-being and execution of the medical regimen as prescribed by a licensed physician, podiatrist or dentist or otherwise legally authorized individual acting under the delegated authority of a physician, podiatrist or dentist: (1) “Diagnosis” in the context of nursing practice means that identification of and discrimination between physical and psychosocial signs and symptoms essential to effective execution and management of the nursing regimen. This diagnostic privilege is distinct from medical diagnosis; (2) “Human responses” means those signs, symptoms and processes that denote the individual's health needs or reaction to an actual or potential health problem; and (3) “Treatment” means selection and performance of those therapeutic measures essential to the effective management and execution of the nursing regimen... F. Administration of medications and treatment as prescribed by a legally authorized individual.... 32 Maine Rev. Stat. § 2102 (2012) Definitions

A. Certificate of Immunization/Proof of Immunity 1. To demonstrate adequate immunization against each disease, a student shall present the school with a Certificate of Immunization from a... nurse... who has administered the immunizing agent(s) to the student.... Code of Maine Rules 10-144 Ch. 262, § 4 (2012) Certificate of Immunization; Evidence of Immunity

PHARMACIST

For purposes of this section, a treatment protocol is a written collaborative agreement between a practitioner... and a pharmacist. A. A treatment protocol authorizes the administration of... immunizations by a pharmacist who holds a certificate of administration... and must include, at a minimum, the following provisions... 4. Scope of Coverage — Drugs and Immunizations The treatment protocol must identify the... immunizations that may be administered pursuant to the protocol. For each... immunization named, the protocol must specify the maximum permitted dose and the route of administration. Only the following... immunizations may be included in the treatment protocol: Influenza vaccines, including intranasal vaccine; Pneumococcal vaccine; Shingles or herpes zoster vaccine; Tetanus-diptheria vaccine; Booster tetanus-diphtheria vaccine... 7. Notification A. The treatment protocol must require a pharmacist holding a certificate of administration who administers a[n]... immunization pursuant to this treatment protocol to provide notice of the administration within 3 business days to the authorized practitioner who issued a prescription, treatment protocol or written standing order... which authorized administration to the patient or to the patient population of which the patient is a member....

[NOTE: A prescription, treatment protocol or written standing order from an authorized practitioner is not required for administration of influenza vaccines.].... Code of Maine Rules 02-392 Ch. 4-A, § 1 (2012) Minimum Requirements for Treatment Protocol Issued Pursuant to 32 MRSA §13833
A pharmacist who holds a certificate of administration shall observe the following administration requirements in addition to requirements contained in: - An applicable prescription, treatment protocol or written standing order . . . and - The applicable treatment protocol . . .

1. **Verification**
   A. For administration of influenza vaccines, the pharmacist who holds a certificate of administration shall verify as necessary that the patient is 9 years of age or older.  
   B. For administration of pneumococcal vaccine, shingles or herpes zoster vaccine, tetanus-diphtheria-pertussis vaccine, tetanus-diphtheria vaccine or booster tetanus-diphtheria pursuant to a prescription, the pharmacist who holds a certificate of administration shall verify that the patient is the person to whom the prescription was issued.  
   C. For administration of pneumococcal vaccine, shingles or herpes zoster vaccine, tetanus-diphtheria-pertussis vaccine, tetanus-diphtheria vaccine or booster tetanus-diphtheria pursuant to a treatment protocol or standing written order, the pharmacist who holds a certificate of administration shall verify: (1) That the patient is a member of the patient population (e.g., employee of designated employer, resident of designated municipality) covered by the treatment protocol or standing written order; and (2) That the patient is 18 years of age or older.

2. **Assessment**
   Prior to administering an immunization, a pharmacist who holds a certificate of administration shall assess the patient for contraindications that would preclude vaccination.

**Administration Requirements**

The pharmacist shall administer drugs and vaccines in compliance with a treatment protocol established by a practitioner authorized under the laws of this State to order administration of vaccines approved by the board. A copy of the treatment protocol must be submitted to the board. At a minimum the treatment protocol must include:

1. **Standards.** Standards for observation of the person receiving the vaccine to determine whether the person has an adverse reaction, as adopted in rules by the board;

2. **Procedures.** Procedures to be followed by the pharmacist when administering epinephrine or diphenhydramine, or both, to a person who has an adverse reaction to a vaccine administered by the pharmacist; and

3. **Notification.** Notification to the authorized practitioner who issued the prescription, standing order or protocol of the administration by the pharmacist of the drug or vaccine, or both, within 3 business days.

**Treatment protocol**

**PHYSICIAN ASSISTANT**

“Physician extender” means a physician assistant.

A. **DELEGATED AUTHORITY**
   Physician extenders may only perform those medical activities which the supervising physician has delegated to the physician extender. Medical activities which may be delegated include the following: (2) The prescribing and dispensing of drugs and medical devices to the extent permitted by state and federal law. Prescribing and dispensing of drugs may include Schedule III through V substances and all legend drugs.
Physician Assistants practice medicine with physician supervision. A. DELEGATED AUTHORITY Physician assistants may perform only those medical activities that have been delegated to the physician assistant by a supervising physician. Medical activities that may be delegated include the following: 1. the ordering of diagnostic, therapeutic and other medical services; 2. the prescribing and dispensing of drugs and medical devices to the extent permitted by state and federal law. Prescribing and dispensing drugs may include Schedule III through V substances and all legend drugs. A Physician Assistant and PSP may together request individual consideration for authorization to prescribe schedule II drugs under specific individual guidelines detailed by the Board. Physician assistants may request, receive, and sign for professional samples and may distribute professional samples to patients; and 3. the performance of tasks that are not routinely within the practice or regularly performed by the PSP so long as adequate oversight, secondary supervisory, and referral arrangements are in place to ensure competent provision of services by the physician assistant. . . . Code of Maine Rules 02-373 Ch. 2, § 6 (2012) Scope of Practice
### STANDING ORDERS: Health Professionals & Immunization Practice

#### PRACTICE SETTINGS

**MAINE**

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<tr>
<th>Health Professional</th>
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<tr>
<td>Medical Assistant</td>
<td>Reviewed immunization practice laws did not address practice settings</td>
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<td>Advanced Practice Nurse</td>
<td>See Clinical Nurse Specialist, Midwife, and Nurse Practitioner</td>
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<td>Practical Nurse</td>
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**NURSES**

**Nurse Practitioner**

. . . B. PRACTICE SETTING  [A] physician extender may only provide practice in a practice setting in which the supervising physician agrees to provide supervision. . . *Code of Maine Rules 02-383 Ch. 3, § 6 (2012) Scope of Practice*

**Practical Nurse**


**PHYSICIAN ASSISTANT**

. . . B. PRACTICE SETTING  [A] physician extender may only provide practice in a practice setting in which the supervising physician agrees to provide supervision. . . *Code of Maine Rules 02-383 Ch. 3, § 6 (2012) Scope of Practice*

. . . B. PRACTICE SETTING  A physician assistant may perform medical activities only in a practice setting in which the supervising physician agrees to provide supervision. *Code of Maine Rules 02-373 Ch. 2, § 6 (2012) Scope of Practice*

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Source: GWU/SPHHS STANDING ORDERS: Health Professionals & Immunization Practice—Summer 2013
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