

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 503

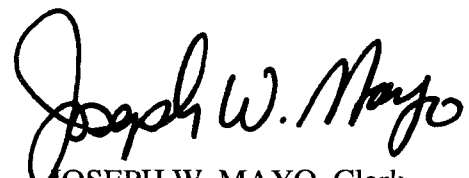
H.P. 359

House of Representatives, January 14, 1999

An Act to Delay the Implementation until October 1, 1999 of Public Law 1997, Chapter 793, "An Act to Provide for Confidentiality of Health Care Information."

(EMERGENCY)

Reported by Representative KANE for the Joint Standing Committee on Health and Human Services pursuant to H.P. 270.


JOSEPH W. MAYO, Clerk

2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4
6 Whereas, Maine residents and health care providers have
encountered significant difficulties in the implementation of
Public Law 1997, chapter 793, on the confidentiality of health
care information; and

10 Whereas, the Legislature requires a period of time to
address these difficulties and to ensure that health care
information is provided appropriate confidential treatment; and

14 Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
safety; now, therefore,

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

22 **Sec. 1. 22 MRSA §1711-C, sub-§9, ¶A,** as enacted by PL 1997, c.
793, Pt. A, §8 and affected by §10, is amended to read:

24
26 A. The health care practitioner or facility provided a copy
of the original health care record to the 3rd party on or
after January October 1, 1999;

28 **Sec. 2. 22 MRSA §1711-C, sub-§16,** as enacted by PL 1997, c.
30 793, Pt. A, §8 and affected by §10, is amended to read:

32 **16. Application.** This section applies to all requests and
directives to disclose health care information issued or received
34 on or after January October 1, 1999 and to all authorizations to
disclose health care information executed on or after January
36 October 1, 1999.

38 **Sec. 3. PL 1997, c. 793, Pt. A, §10** is amended to read:

40 **Sec. A-10. Effective date.** This Part takes effect January
October 1, 1999 with the exception of section 9 of this Part,
42 which takes effect August 1, 1998.

44 **Sec. 4. PL 1997, c. 793, Pt. B, §6** is amended to read:

46 **Sec. B-6. Effective date.** This Part takes effect January
October 1, 1999.

48 **Sec. 5. Retroactivity.** This Act applies retroactively to
50 January 1, 1999.

2 **Emergency clause.** In view of the emergency cited in the
preamble, this Act takes effect when approved.

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6 **FISCAL NOTE**

8 This bill delays the implementation of Public Law 1997,
chapter 793, resulting in the delay of certain costs and minor
revenue impacts. The net fiscal impact of this delay is
10 insignificant.

12 **SUMMARY**

14 This bill delays the implementation of the confidentiality
16 of health care information law from January 1, 1999 to October 1,
1999 and makes it retroactive to January 1, 1999.

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