



## **119th MAINE LEGISLATURE**

## FIRST REGULAR SESSION-1999

Legislative Document

No. 2225

H.P. 1578

House of Representatives, May 12, 1999

An Act to Permit Certain Referrals by Health Care Practitioners.

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Banking and Insurance suggested and ordered printed.

W. Mayo

OSEPH W. MAYO, Clerk

Presented by Representative SAXL of Portland.

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

Whereas, access to health care is a high priority for 6 citizens of Maine; and

8 Whereas, there are currently pending agreements between health care practitioners that, as affected by this legislation, 10 would ease access to health care; and

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,

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

20 Sec. 1. 22 MRSA §2085, sub-§9 is enacted to read:

 9. Referrals to other practitioners permitted. Notwithstanding subsection 1, a health care practitioner may
refer a patient to another office practice or group practice of health care practitioners even if the referring practitioner has
an investment interest in that outside office practice or group practice.

**Emergency clause.** In view of the emergency cited in the 30 preamble, this Act takes effect when approved.

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## **SUMMARY**

Current law prohibits a health care practitioner from referring a patient to another facility in which the practitioner holds an interest unless the practitioner will be personally responsible for the provision of care to that patient.

 This bill allows the referral to another office or group of health care practitioners, regardless of whether the referring
physician holds an investment interest in that office or group.