

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-SECOND LEGISLATURE

SECOND REGULAR SESSION
JANUARY 7, 2026 to APRIL 29, 2026

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NONEMERGENCY LAWS IS
JULY 29, 2026

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IN ACCORDANCE WITH THE MAINE REVISED STATUTES,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2026

costs and potential appropriateness of those technologies for application in the State consistent with the department's policy and program goals described in section 10303 prioritizing carbon-free and lowest-emission technologies.

See title page for effective date.

CHAPTER 559

H.P. 1314 - L.D. 1970

An Act to Amend the Laws Regarding Consent for HIV Testing and Disclosure of Related Medical Information for Insurance Purposes

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

Sec. 1. 5 MRSA §19203, sub-§2, as amended by PL 1999, c. 512, Pt. B, §1 and affected by §§5 and 6, is further amended to read:

2. Designated health care provider. To a health care provider designated by the subject of the test ~~in writing~~. When a patient has authorized disclosure of HIV test results to a person or organization providing health care, the patient's health care provider may make these results available only to other health care providers working directly with the patient and only for the purpose of providing direct medical or dental patient care. Any health care provider who discloses HIV test results in good faith pursuant to this subsection is immune from any criminal or civil liability for the act of disclosing HIV test results to other health care providers;

Sec. 2. 5 MRSA §19203-A, sub-§1, as amended by PL 2007, c. 93, §1, is further amended to read:

1. Individual Patient tested; informed consent. Except as provided in this section and section 19203, subsections 4 and 5, an HIV test must be voluntary and undertaken only with a patient's ~~knowledge and understanding that an HIV test is planned~~ informed consent. ~~A patient must be informed orally or in writing that an HIV test will be performed unless the patient declines. Oral or written information required to be given to a patient under this subsection must include an explanation of what an HIV infection involves and the meaning of positive and negative test results. A patient must be provided the opportunity to ask questions, either orally or in writing. Informed consent is not required for repeated HIV testing by health care providers to monitor the course of established infection.~~

A. Information on the meaning of a positive and negative HIV test result must be made available to

the patient. A patient must be provided the opportunity to ask questions, either orally or in writing.

B. The consent of a minor's parent or legal guardian is not required to perform an HIV test on the minor under this subsection.

C. A patient has the right to decline an HIV test and, if the patient declines an HIV test, the health care provider shall document that decision in the patient's medical record.

Results of an HIV test performed pursuant to this subsection must be provided to the health care provider that ordered the test.

Sec. 3. 5 MRSA §19203-D, sub-§7 is enacted to read:

7. Insurance reimbursement. This section does not preclude disclosure of information in a medical record for the purpose of seeking insurance reimbursement for HIV testing.

See title page for effective date.

CHAPTER 560

S.P. 807 - L.D. 1994

An Act to Provide Immunity from Civil Liability for Justices of the Peace

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

Sec. 1. 4 MRSA §161, as amended by PL 1995, c. 388, §1 and affected by §8, is further amended by amending the section headnote to read:

§161. Justice of the peace; appointment; duties; salary; immunity

Sec. 2. 4 MRSA §161, as amended by PL 1995, c. 388, §1 and affected by §8, is further amended by enacting after the 3rd paragraph a new paragraph to read:

A person authorized to serve as a justice of the peace is immune from any civil liability, to the same extent as employees of governmental entities under the Maine Tort Claims Act, for acts performed within the scope of the person's justice of the peace duties.

See title page for effective date.