

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
115TH LEGISLATURE**

**FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
HUMAN RESOURCES**

**AUGUST 1991**

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE  
FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION  
JOINT STANDING COMMITTEE  
BILL SUMMARIES  
AUGUST 1991**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

<b>PUBLIC XXX</b>	<i>Chapter # of enacted Public Law</i>
<b>P&amp;S XXX</b>	<i>Chapter # of enacted Private &amp; Special Law</i>
<b>RESOLVE XXX</b>	<i>Chapter # of enacted Resolve</i>
<b>CON RES XXX</b>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<b>EMERGENCY</b>	<i>Enacted law takes effect sooner than 90 days</i>
<b>CARRIED OVER</b>	<i>Bill carried over to 2nd Session</i>
<b>FAILED EMERGENCY ENACTMENT</b>	<i>Bill failed to get 2/3 vote</i>
<b>ONTP</b>	<i>Ought Not to Pass report accepted</i>
<b>LVWD</b>	<i>Leave to Withdraw report accepted</i>
<b>INDEF PP</b>	<i>Bill Indefinitely Postponed</i>
<b>DIED BETWEEN BODIES</b>	<i>House &amp; Senate disagree; bill died</i>
<b>VETO SUSTAINED</b>	<i>Legislature failed to override Governor's Veto</i>
<b>UNSIGNED</b>	<i>Not signed by Governor within 10 days</i>
<b>DIED ON ADJOURNMENT</b>	<i>Action incomplete when 1st session ended</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

LD 421

**An Act to Ensure Patient Access to Medical Records**

LV/WD

SPONSOR(S)  
DORE  
JACQUES  
PFEIFFER  
GAUVREAU

COMMITTEE REPORT  
LV/WD

AMENDMENTS ADOPTED

**SUMMARY**

The bill repeals the current law governing patient access to hospital records and replaces it with a broader provision governing records held by hospitals and health care practitioners. Health care practitioners include physicians, nurses, podiatrists, dentists, chiropractors and psychologists. The bill requires health care practitioners and hospitals to release a patient's records upon the request of that patient and provides a civil penalty of \$100 per day for failure to comply with the requirement. (See LD 419)

**LD 423**

**An Act to Amend the Laws Governing Disclosure of Information in Medical Support Recoupment and Child Support Cases**

PUBLIC 58

SPONSOR(S)  
MANNING  
GILL  
PENDLETON  
SIMONDS

COMMITTEE REPORT  
OTP-AM

AMENDMENTS ADOPTED  
H-51

**SUMMARY**

The bill clarifies that information requested by the Department of Human Services in child support enforcement cases may be disclosed to the Department to the extent that the disclosure is not prohibited by federal or state law, or by the Maine Rules of Evidence. The bill also decreases the notice requirement that must be made when the Department seeks information. Under present law, the Department must notify the responsible parent by certified mail or by hand when requesting or demanding information about that parent from any source. Under this bill, notice may be made by regular mail. The bill establishes a civil violation for knowing failure or refusal to respond to a demand for information requested by the Department. It also establishes a civil violation for unlawful dissemination of the information which is collected.

Committee Amendment "A" (H-51) removes the requirement that the Department notify the responsible parent when requesting information from other sources; notice need only be made when the department demands information. The amendment also clarifies that, in order to be a civil violation, refusal to provide information must be knowing refusal. The amendment also adds a fiscal note to the bill.

LD 463

**An Act to Exempt Substance Abuse and Psychiatric Patients from the Prohibition against Smoking in Hospitals**

PUBLIC 501

SPONSOR(S)  
DORE  
HALE  
GAUVREAU  
GEAN

COMMITTEE REPORT  
ONTP MAJ  
OTP-AM MIN

AMENDMENTS ADOPTED  
H-483 MIN REP

**SUMMARY**

Currently, a hospital may allow a patient to smoke in designated areas within the hospital if a physician has written an order permitting it. This bill allows the hospital to permit smoking for substance abuse