

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

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Legislative Document

No. 452

H. P. 361

House of Representatives, January 29, 1975

Referred to Committee on Health and Institutional Services. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Talbot of Portland.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FIVE

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AN ACT Relating to Membership on Advisory Commission  
under Maine Medical Laboratory Act.

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

22 MRSA, § 2026, 1st ¶, as enacted by PL 1967, c. 380, is repealed and the following enacted in place thereof:

The advisory commission shall consist of 13 members. The Commissioner of Health and Welfare, or a person appointed by him, shall be a member and is designated chairman. The Maine Osteopathic Association may appoint one member. The Maine Medical Association may appoint one member. The remaining 10 members shall be appointed by the Governor; 3 of these members shall be certified by the American Board of Pathology, one of these members shall be certified by the American Osteopathic Board of Pathology. If no such qualified persons are available, then the Governor shall substitute a physician licensed to practice medicine in the State whom he deems qualified. The remaining 6 members shall be public members, individuals who have not and do not derive any significant part of their family income from the medical care industry.

STATEMENT OF FACT

The implementation of certain Maine Management and Cost Survey recommendations suggesting that the Department of Health and Welfare Public Health Laboratory charge fees for certain services is going to have the effect of encouraging private laboratory services to supply some of these tests. If

these laboratories are going to be operated in the public interest, it seems imperative that regulation of these facilities recognize a necessary balance between laboratory services as a diagnostic tool and laboratory services as a profitable enterprise.

As currently constituted, the Maine Medical Laboratory Act is controlled by a commission of pathologists, with the Commissioner of Health and Welfare the only public representative. It is proposed that 6 public members be added to this commission to represent a segment of the population that has no vested interests in the business aspects of these services. Medical laboratory costs are a large factor in the costs of medical care and should not be under the sole control of groups who would stand to gain monetary rewards. The suggested changes in this law would help establish a balance between medical necessity and public interest.