

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1253

H. P. 988

House of Representatives, March 20, 1975

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

EDWIN H. PERT, Clerk

Presented by Mrs. Laverty of Millinocket.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT Relating to the Furnishing of Family Planning Services to Minors.

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

22 MRSA § 1908, as enacted by PL 1973, c. 624, § 1, is repealed and the following enacted in place thereof:

§ 1908. Minors

1. Furnishing of family planning services. Family planning services may be furnished to any minor. A birth control device or drug obtainable only by prescription shall be furnished to a minor who is neither married nor a parent in accordance with subsection 2.

2. Birth control device or drug obtainable only by prescription. A birth control device or drug shall be furnished to a minor requesting it who is neither married nor a parent only after the individual or organization furnishing the device or drug has complied with the following procedure:

A. The individual or organization shall notify the parents or legal guardian of the minor of the minor's request. The individual or organization shall also notify the parents or legal guardian that, if they so desire, they will be involved in the answering of questions concerning the family medical history. Each notification of the parents or legal guardian under this paragraph shall be made with the minor's knowledge.

B. The minor requesting the device or drug under this section shall be interviewed by a person with psychological training and counseling experience to determine if there are psychological health hazards in the minor receiving a birth control device or drug available only by prescription.

C. The minor shall then receive a physical examination by a physician to determine if there would be physical health hazards in the minor receiving a birth control device or drug obtainable only by prescription. The physician may, if the minor's parents or legal guardian wish, question the minor's parents or legal guardian concerning the medical history of the minor and of the minor's family.

3. Confidentiality. All information received by the individual or organization, or his or its agents, in the process of furnishing family planning services to a minor shall, except in accordance with this section, be held in strict confidence.

STATEMENT OF FACT

This Act ensures :

1. Any minor the right to information, counseling and other family planning services, including contraceptives, without the consent of the minor's parents or legal guardian ;

2. That the parents or legal guardian of a minor who is neither married nor a parent shall have knowledge of that minor's intention to obtain a birth control device or prescription obtainable only by a prescription, thus giving them the opportunity to assist in the answering of medical history questions which would result in accurate medical records for that minor ;

3. That psychological health hazards as well as hazards to physical health are taken into consideration and dealt with by qualified professional people ; and

4. That all information obtained by the individual or organization, or his or its agents, must be held in strict confidence.