

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. H-779)

HOUSE AMENDMENT "C" to S.P. 205, L.D. 727, Bill, "AN ACT to Implement the Recommendations of the Pomeroy Commission on Medical and Hospital Malpractice Insurance."

Amend the bill in that part designated "§2702." subsection 1, by inserting at the end of the first paragraph the following new sentence:

'No health care provider may require a patient to execute an agreement to arbitrate as a condition of admission or as a condition to the provision of treatment.'

Further amend the bill in that part designated "§2702." subsection 1, paragraph C, last sentence, is amended by inserting at the end, before the period, the following: 'so long as such organization offers such arbitration provisions as an optional provision which an individual member or group decision maker may accept or reject'

Further amend the bill in that part designated "§2702." subsection 2, by inserting at the end of the first paragraph the following new sentence:

'No physician may require a patient to execute an agreement to arbitrate as a condition of the physician providing treatment to the patient.'

Further amend the bill in that part designated "§2702." subsection 2, paragraph A, by inserting under the caption "NOTICE TO PATIENT" the following new sentence:

'YOU CANNOT BE REQUIRED TO SIGN THIS AGREEMENT IN ORDER TO RECEIVE TREATMENT'

Statement of Fact

This amendment clarifies the language of the bill to insure that physicians and hospitals cannot require patients to enter into arbitration agreements. The amendment also clarifies the conditions under which arbitrations can be utilized by nonprofit hospital and medical service organizations.

Filed by Mr. Spencer of Standish.

Reproduced and distributed under the direction of the Clerk of the House.
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