

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 736

H. P. 592

House of Representatives, February 23, 1979

On Motion of Mrs. Prescott of Hampden, referred to the Committee on Health and Institutional Services. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Hughes of Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Facilitate the Treatment of Minors for Alcohol and Drug Abuse Problems.

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

Sec. 1. 22 MRSA § 1823, first sentence, as amended by PL 1977, c. 78, § 146, is further amended to read:

Any hospital licensed under this chapter **or alcohol or drug treatment facility licensed pursuant to section 7801** which provides facilities to a minor in connection with the treatment of that minor for venereal disease or abuse of drugs **or alcohol** is under no obligation to obtain the consent of that minor's parent or guardian or to inform that parent or guardian of the provision of such facilities so long as such facilities have been provided at the direction of the person or persons referred to in Title 32, sections 2595, 3295, 3817 [or], 4185-A **or 6221**.

Sec. 2. 32 MRSA § 2595, first sentence, as enacted by PL 1973, c. 374, § 1, is amended to read:

Any person licensed under this chapter who renders medical care to a minor for treatment of venereal disease or abuse of drugs **or alcohol** is under no obligation to obtain the consent of said minor's parent or guardian or to inform such parent or guardian of such treatment.

Sec. 3. 32 MRSA § 3292, first sentence, as repealed and replaced by PL 1973, c. 145, § 3, is amended to read:

Any person licensed under this chapter who renders medical care to a minor for treatment of venereal disease or abuse of drugs **or alcohol** is under no obligation to obtain the consent of said minor's parent or guardian or to inform such parent or guardian of such treatment.

Sec. 4. 32 MRSA § 3817, first sentence, as repealed and replaced by PL 1973, c. 145, § 4, is amended to read:

Any person licensed under this chapter who renders psychological services to a minor for problems associated with the abuse of drugs **or alcohol** is under no obligation to obtain the consent of said minor's parent or guardian or to inform such parent or guardian of such services.

Sec. 5. 32 MRSA § 6221 is enacted to read:

§ 6221. Treatment of minors

Any person licensed under this chapter who renders counseling services to a minor for the treatment of abuse of drugs or alcohol is under no obligation to obtain the consent of that minor's parent or guardian or to inform that parent or guardian of that treatment. Nothing in this section shall be construed so as to prohibit the licensed person rendering that treatment from informing that parent or guardian. For the purposes of this section "abuse of drugs" means the use of drugs solely for their stimulant, depressant or hallucinogenic effect upon the higher functions of the central nervous system and not as a therapeutic agent recommended by a practitioner in the course of medical treatment.

Sec. 6. 32 MRSA § 7004, first sentence, as enacted by PL 1977, c. 673, § 3, is amended to read:

Any person certified under this chapter who renders social work services to a minor for problems associated with the abuse of drugs **or alcohol** is under no obligation to obtain the consent of that minor's parent or guardian or to inform that parent or guardian of the treatment.

STATEMENT OF FACT

The purpose of this bill is to allow registered licensed substance abuse counselors to treat minors for alcohol or drug problems without obtaining parental consent.

This privilege is presently extended to physicians, psychologists and social workers but when this law was adopted in 1973 the Maine Board of Registration of Substance Abuse Counselors was not in existence.

This bill also clarifies "abuse of drugs" to include the drug that is most frequently and seriously abused by young persons — alcohol.