

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE  
4

5 Legislative Document

No. 874

6  
7 S.P. 286

In Senate, February 24, 1983

8 Referred to the Committee on Judiciary. Sent down for concurrence and  
9 ordered printed.

10 JOY J. O'BRIEN, Secretary of the Senate

11 Presented by Senator Trafton of Androscoggin.

12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-THREE  
16

17 AN ACT Concerning Hospital Immunity and  
18 the Administration of Blood Tests to  
19 Juveniles for Operating under the  
20 Influence.  
21

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

24 29 MRSA §1312, sub-§7, as amended by PL 1981, c.  
25 615, §2, is further amended to read:

26 7. Liability. No physician, physician's assis-  
27 tant, registered nurse or person certified by the  
28 Department of Human Services in the exercise of due  
29 care ~~shall~~ may be liable in damages or otherwise for  
30 any act done or omitted to be done in performing the  
31 act of collecting or withdrawing specimens of blood  
32 at the request of a law enforcement officer pursuant  
33 to this section.

1 No hospital may be liable for collecting or withdraw-  
2 ing blood from a juvenile, at the request of a law  
3 enforcement officer, pursuant to this section, for  
4 the reason that the hospital did not obtain consent  
5 from that juvenile's parent or guardian.

6 STATEMENT OF FACT

7 The purpose of this bill is to give hospitals  
8 limited immunity for giving blood-alcohol level tests  
9 to juveniles suspected of operating a motor vehicle  
10 under the influence of alcohol. The immunity given  
11 by this bill only extends to giving these tests with-  
12 out the consent of the juvenile's parent or guardian.

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