

# MAINE STATE LEGISLATURE

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L.D. 1218

(Filing No. H-530 )

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
112TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 859, L.D. 1218, Bill, "AN ACT to Amend the Medical Examiner Act and Related Provisions."

Amend the bill in section 4, in that part designated "§3022." in subsection 1, in the 10th line (page 3, line 3 in L.D.) by striking out the underlined words "pathology as attested to" and inserting in their place the following: 'pathology. Expertise in the specialty of forensic pathology may be established'

Further amend the bill in section 4, in that part designated "§3022." in subsection 1, in the 13th, 14th and 15th lines (page 3, lines 6, 7 and 8 in L.D.) by striking out the underlined words "examination by the State in a manner determined by the Governor utilizing acknowledged experts in the field" and inserting in their place the underlined words 'successful completion of an examination to test expertise in forensic pathology designed for the State by acknowledged experts in the field selected by the Governor'

Further amend the bill in section 4, in that part designated "§3022." in subsection 8, in the first line (page 4, line 26 in L.D.) by striking out the underlined word "Contents" and inserting in its place the underlined words and punctuation 'When in the custody of a medical examiner, contents'

Further amend the bill in section 4, in that part designated "§3022." in subsection 8, in the 4th line (page 4, line 29 in L.D.) by striking out the underlined words and punctuation "internal notes of the office,"

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1 Further amend the bill in section 4, in that part  
2 designated "§3022." in subsection 8, in the last 2  
3 lines (page 4, lines 35 and 36 in L.D.) by striking  
4 out the underlined words "or a District Attorney's  
5 Office"

6 Further amend the bill in section 5, in that part  
7 designated "§3023." in the 2nd paragraph, in the last  
8 line (page 5, line 29, in L.D.) by striking out the  
9 underlined word "office" and inserting in its place  
10 the underlined word 'office'

11 Further amend the bill in section 6, in that part  
12 designated "§3025." in subsection 1, paragraph K, in  
13 the last line (page 7, line 12 in L.D.) by insering  
14 after the underlined word and punctuation "causes."  
15 the following: 'When a person dies who is under the  
16 care of a religious practitioner who uses prayer and  
17 spiritual means of healing, the fact that the de-  
18 ceased has been under such religious care does not  
19 warrant suspicion of foul play or investigation be-  
20 yond that warranted by the other facts of the case.'

21 STATEMENT OF FACT

22 The purpose of this amendment is to:

23 1. Clarify how the expertise in forensic pathol-  
24 ogy of a candidate for Chief Medical Examiner may be  
25 determined if the candidate is not board certified;

26 2. Delete internal notes of the medical examin-  
27 ers office from the information made confidential by  
28 this bill;

29 3. Delete reference to reports pertaining to in-  
30 vestigations of cases by district attorneys' offices  
31 from the information made confidential by this bill,  
32 since the confidentiality of those reports is dealt  
33 with by rules under which the district attorneys' of-

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1 fices operate;

2 4. Correct a misspelling; and

3 5. Make it clear that when a person dies who is  
4 under the care of a religious practitioner, that re-  
5 ligious care does not automatically cause the case to  
6 become a medical examiner case.

7 Finally, it should be noted that in the bill's  
8 statement of fact, the first paragraph on page 14 is  
9 incorrect: The paragraph should refer to skeletal  
10 remains which are neither uncovered in a cemetery nor  
11 known to be Indian remains.

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