

MAINE STATE LEGISLATURE

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1 (New Draft of H.P. 356, L.D. 476)
2 FIRST REGULAR SESSION
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE
5

6 Legislative Document

No. 1372

7
8 H.P. 953

House of Representatives, April 24, 1985

9 Reported by Representative Kimball from the Committee on Human
10 Resources and printed under Joint Rule 2. Original bill sponsored by
11 Representative Manning of Portland. Cosponsored by Representative Nelson
of Portland, Senator Gill of Cumberland and Senator Berube of
Androscoggin.

EDWIN H. PERT, Clerk

12
13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-FIVE
17

18 AN ACT Establishing a System for the
19 Reporting of Selected Occupational
20 Diseases.
21

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

24 Sec. 1. 22 MRSA c. 259-A is enacted to read:

25 CHAPTER 259-A

26 OCCUPATIONAL DISEASE REPORTING

27 §1491. Occupational disease reporting

28 As used in this chapter the term "occupational
29 disease" means any abnormal condition or disorder,
30 other than resulting from an occupational injury,
31 caused by exposure to environmental factors associ-
32 ated with employment. Occupational diseases shall
33 include the following: Asbestosis; mesothelioma;

1 silicosis; and exposure to heavy metals. Reporting
2 of other occupational diseases may be required only
3 by departmental rules.

4 §1492. Occupational disease reporting system

5 The Department of Human Services shall establish,
6 maintain and operate a statewide occupational disease
7 reporting system. The data collected shall be ana-
8 lyzed and interpreted in order to better identify
9 risk factors associated with occupational diseases
10 and strategies to prevent or reduce these risks. The
11 results of this analysis shall be made available to
12 the public.

13 §1493. Duties of physicians and hospitals

14 All physicians or hospitals shall report to the
15 Department of Human Services all persons diagnosed as
16 having an occupational disease no later than 30 days
17 from the date of diagnosis or from discharge from a
18 hospital. The report shall include any factor known
19 to the physician which is suspected of being a con-
20 tributing factor to the disease, including, but not
21 limited to, whether or nor the person smokes and, if
22 so, the frequency of smoking.

23 A physician, upon notification by the Department
24 of Human Services, shall report to the department any
25 further information requested by the department con-
26 cerning any person now or formerly under his care,
27 diagnosed as having or having had an occupational
28 disease.

29 No physician or hospital complying with the re-
30 porting requirements of this section may be liable
31 for any civil damages as a result of those acts.

32 §1494. Confidentiality

33 The names and related information which may iden-
34 tify individuals having an occupational disease shall
35 be confidential and may be released only to other
36 public health officials, agents or agencies, or by
37 court order or by written authorization of the indi-
38 vidual being reported on. All other information sub-
39 mitted pursuant to this chapter may be made available
40 to the public.

1 Sec. 2. Appropriation. The following funds are
2 appropriated from the General Fund to carry out the
3 purposes of this Act.

4		<u>1985-86</u>	<u>1986-87</u>
5	<u>HUMAN SERVICES, DEPARTMENT</u>		
6	<u>OF</u>		
7	Bureau of Health		
8	Positions	(1/2)	(1/2)
9	Personal Services	\$ 5,196	\$ 7,205
10	All Other	6,000	8,000
11	Capital Expenditures	<u>3,400</u>	<u> </u>
12	TOTAL	\$14,596	\$15,205

13 FISCAL NOTE

14 If this new draft is enacted, a part-time Clerk Typ-
15 ist II position will be necessary within the Depart-
16 ment of Human Services to establish and maintain an
17 occupational disease reporting system. "All Other"
18 line category funds will provide for telephone and
19 supply costs and main computer usage. "Capital Ex-
20 penditures" funds in the first year will purchase an
21 IBM computer work station. Funding for fiscal year
22 1985-86 reflects an approximate starting date of Oc-
23 tober 1, 1985.

24 STATEMENT OF FACT

25 This new draft defines occupational disease and
26 gives several examples relevant to Maine. It speci-
27 fies the purpose for gathering the data and requires
28 contributing factors, if known, to be a part of the
29 report on occupational diseases. It also provides
30 for confidentiality of the identity of individuals on
31 the list.

1 This new draft places the language in a more ap-
2 **propriate** place in the statute and adds an appropria-
3 **tion.**

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