

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 2085

6
7 S.P. 825

In Senate, February 28, 1986

8 Approved for introduction by a majority of the Legislative Council
9 pursuant to Joint Rule 26.

10 Reference to the Committee on Human Resources suggested and ordered
11 printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Perkins of Hancock.

12 Cosponsored by Representative Higgins of Scarborough, Senator Brown
13 of Washington and Representative Carroll of Gray.

14 STATE OF MAINE
15

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

18 AN ACT to Classify AIDS as a Dangerous
19 Communicable Disease for the Purpose
20 of Public Health.

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

23 Sec. 1. 22 MRSA §1011, sub-§3, as enacted by PL
24 1977, c. 304, §2, is amended to read:

25 3. Dangerous communicable disease. "Dangerous
26 communicable disease" means a communicable disease
27 which is so designated by the department pursuant to
28 section 1012, subsection 1, paragraph A, because of
29 serious threat to the public health and shall include
30 at least tuberculosis and venereal disease. Acquired
31 Immune Deficiency Syndrome, AIDS related complex or
32 any other medical condition which a person contracts
33 as a result of having AIDS or AIDS related complex
34 viral positivity or seropositivity is considered a
35 dangerous communicable disease.

1 Sec. 2. 22 MRSA §1012, sub-§4 is enacted to
2 read:

3 4. Rules relating to AIDS or ARC. For purposes
4 of this article, "AIDS" means Acquired Immune Defi-
5 ciency Syndrome and "ARC" means AIDS related complex.
6 The department shall promulgate rules relating to
7 AIDS and ARC. These rules shall include, but are not
8 limited to, the following:

9 A. Identification of those occupations and em-
10 ployment situations where there is significant
11 opportunity for exposure to blood and other body
12 fluid or waste;

13 B. Procedures for the identification of persons
14 having AIDS or ARC;

15 C. Procedures for notification to persons in oc-
16 cupations or employment situations set out in
17 paragraph A, of persons who have been identified
18 as having AIDS or ARC; and

19 D. Guidelines setting out precautionary proce-
20 dures to be taken by persons in occupations or
21 employment situations set out in paragraph A to
22 minimize the exposure or contraction of AIDS or
23 ARC.

24 Sec. 3. 22 MRSA §2842, sub-§4 is enact to read:

25 4. Certificate indicating diagnosis of AIDS or
26 ARC. If any person who has been diagnosed as having
27 AIDS or ARC dies, the attending physician or medical
28 examiner shall complete a certificate in a form pre-
29 scribed by the commissioner indicating that the de-
30 ceased had AIDS or ARC. That certificate shall be
31 provided to any funeral director or other authorized
32 person in charge of the disposition of the body.

33 For purposes of this subsection, "AIDS" means Ac-
34 quired Immune Deficiency Syndrome and "ARC" means
35 AIDS related complex.

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STATEMENT OF FACT

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This bill classifies AIDS as a dangerous communicable disease, thereby improving the reporting of AIDS cases in Maine.

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This bill also details the rules to be promulgated by the Department of Human Services for the identification of employment situations where exposure to AIDS is the greatest, for a means of identification of AIDS victims and for notification and precautionary measures concerning AIDS.

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This bill also requires that in the case of death of an AIDS victim, any person disposing of the body shall be notified.

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