

MAINE STATE LEGISLATURE

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L.D. 346

(Filing No. H- 49)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
113TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 263, L.D. 346,
Bill, "AN ACT to Amend the Law Regarding the Medical
Certificate Filed After Death."

Amend the bill in subsection 2 in the 10th line
(page 2, line 1 in L.D.) by striking out the follow-
ing: "or the medical director" and inserting in its
place the following: 'or another physician designated
by the physician in charge'

Further amend the bill in subsection 2 by adding
at the end a new paragraph to read:

'For the purposes of this subsection, the following
terms have the following meanings.

A. "Life-sustaining procedure" means any medical
procedure or intervention that, when administered
to a qualified patient, will serve only to
prolong the dying process and shall not include
nutrition and hydration.

B. "Terminally ill patient" means a patient who
has been diagnosed as having an incurable or
irreversible condition that, without the adminis-
tration of life-sustaining procedures, will, in
the opinion of the attending physician, result in
death within a short time.'

COMMITTEE AMENDMENT "A" to H.P. 263, L.D. 346

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STATEMENT OF FACT

2 In case of a normal death, the physician in
3 charge of the patient's care is required to complete
4 the medical certificate in 24 hours. If the patient
5 was a resident of a nursing home, the physician in
6 charge of the patient, or a physician designated by
7 the physician in charge, is required to examine the
8 body prior to completing the death certificate. An
9 exception to this provision dispenses with the exami-
10 nation of the body if the physician in charge of the
11 patient's care had examined the patient within 48
12 hours of death.

13 The original bill amended this law by also dis-
14 pensing with the required examination of the body if
15 the medical director of the facility had examined the
16 patient within 48 hours of death. This amendment re-
17 places "medical director" with "another physician
18 designated by the physician in charge."

19 The 2nd part of this original bill extended the
20 time period under which the exemption to the medical
21 examination is permitted. It provided that in the
22 case of a terminally ill patient, if the physician
23 had examined the patient within 2 weeks instead of
24 the current 48-hour period, the physician need not
25 examine the body to fill out the death certificate.
26 This amendment adds a definition of terminally ill
27 patient.

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Reported by the Committee on Human Resources
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