

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 584

S.P. 217

In Senate, March 3, 1987

Reference to the Committee on Business Legislation suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate Presented by Senator GAUVREAU of Androscoggin.

Cosponsored by Representative ROLDE of York, Senator GILL of Cumberland, Representative CONLEY of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT Establishing Peer Review Immunity for
2 Licensed Psychologists.
3

4 Be it enacted by the People of the State of Maine as
5 follows:

6 32 MRSA §3818, sub-§1 is enacted to read:

7 1. Peer review immunity. Any member of a peer
8 review committee of a state psychological associa-
9 tion, any staff member of such an association assist-
10 ing a peer review committee and any witness or consul-
11 tant appearing before or presenting information to
12 the peer review committee shall be immune from lia-
13 bility in any civil or criminal action brought by a
14 licensee who is the subject of a peer review investi-
15 gation or proceeding conducted by the committee, if
16 the association, committee, staff, witness or consul-

1 tant acted in good faith within the scope of the
2 function of the committee, made a reasonable effort
3 to obtain the facts of the matter and acted in the
4 reasonable belief that the action was warranted by
5 the facts.

6 STATEMENT OF FACT

7 This bill provides immunity from civil liability
8 for volunteer members of a psychological association
9 peer review committee who acts in good faith and
10 within the bounds of the scope of the committee.
11 Psychological associations are often asked to review
12 professional conduct of individual psychologists.
13 However, there is no protection for those who volun-
14 teer to assist in this function. The bill's
15 protections extend to association staff who may as-
16 sist the committee and witnesses and consultants who
17 provide information to the committee. This law is
18 similar to current law providing peer review immunity
19 for dentists.

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