

### FIRST REGULAR SESSION

# ONE HUNDRED AND THIRTEENTH LEGISLATURE

## Legislative Document

NO. 1169

House of Representatives, April 9, 1987 H.P. 868 Reference to the Committee on Human Resources suggested and ordered printed.

EDWIN H. PERT, Clerk Presented by Representative CROWLEY of Stockton Springs. Cosponsored by Representative TAYLOR of Camden.

STATE OF MAINE

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

1 2	AN ACT Pertaining to Breast Cancer Treatment.
3 4	Be it enacted by the People of the State of Maine as follows:
5	22 MRSA \$1402-A is enacted to read:
6 7	§1402-A. Breast cancer; duty to inform; standardized written summary
8 9	<u>1. Failure to inform; unprofessional conduct.</u> The failure of a physician and surgeon to inform a
10	patient by means of a standardized written summary as
11	set out in subsection 2, of alternative efficacious
12	methods of treatment which may be medically viable,
13	including surgical, radiological or chemotherapeutic
14	treatments or combinations of those methods, when the
15	patient is being treated for any form of breast can-
16	cer constitutes unprofessional conduct.

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l	2. Written summary. A standardized written sum-
2	mary in layman's language and in a language under-
3	stood by the patient shall be developed by the de-
4	partment on the recommendation of the Cancer Advisory
5	Council and printed and made available by the Board
	of Medical Quality Assurance to physicians and sur-
.7	geons, informing the patient of the advantages, dis-
8	advantages, risks and descriptions of the procedures
9	with regard to medically viable and efficacious al-
10 .	ternative methods of treatment. Giving such a written
11	summary to the patient shall constitute compliance
12	with the requirements of this section.

#### STATEMENT OF FACT

14 The purpose of this bill is for the State to de-15 velop a standardized written summary for breast can-16 cer patients informing them of the various medical 17 options available to them. The statement in the form 18 of a brochure will inform the patient of the advan-19 tages, disadvantages, risks and description of the 20 procedures with regard to medically viable treatment.

21 This required brochure to be given to each pa-22 tient shall constitute compliance with the require-23 ments of this section of the law.

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