

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 2258

H.P. 1650 House of Representatives, February 12, 1988
Submitted by the Department of Human Services pursuant to
Joint Rule 24.

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

EDWIN H. PERT, Clerk

Presented by Representative DELLERT of Gardiner.

Cosponsored by Senator GILL of Cumberland,
Representatives BEGLEY of Waldoboro and MACOMBER of South
Portland.

STATE OF MAINE

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

1 **AN ACT to Strengthen the Laws Concerning the**
2 **Control of Communicable Diseases.**
3

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

6 **Sec. 1. 22 MRSA §1011, sub-§2, as enacted by PL**
7 **1977, c. 304, §2, is repealed and the following**
8 **enacted in its place:**

1 2. Communicable disease. "Communicable disease"
2 means a disease or condition that may cause serious
3 illness, serious disability or death, the infectious
4 agent of which may pass or be carried, directly or
5 indirectly, from the body of one person to the body of
6 another.

7 Sec. 2. 22 MRSA §1011, sub-§§3, 5 and 7 as
8 enacted by PL 1977, c. 304, §2, are amended to read:

9 3. Dangerous communicable disease. "Dangerous
10 communicable disease" means a communicable disease
11 which is so designated by the department pursuant to
12 section 1012, subsection 1, paragraph A, because of
13 serious threat to the public health and shall include
14 at least tuberculosis, and venereal disease, HIV
15 infection as defined by Title 5, section 19201,
16 subsection 5, and any other communicable diseases as
17 determined on a case-by-case basis by the Bureau of
18 Health.

19 5. Infected person. "Infected person" means a
20 person who is diagnosed or believed to have as
21 having a communicable disease or dangerous
22 communicable disease and who, after appropriate
23 medical evaluation or testing, is determined to be a
24 potential source of infection to others, given
25 conditions necessary for transmission of the disease.

26 7. Notifiable disease. "Notifiable disease"
27 means any communicable disease or, dangerous
28 communicable disease or occupational disease, the
29 occurrence or suspected occurrence of which is
30 required to be reported to the department pursuant to
31 sections 1029 to 1034 or section 1493.

32 STATEMENT OF FACT

33 Current law does not clearly extend the powers of
34 the Commissioner of Human Services with respect to
35 communicable diseases to persons who, although
36 infectious, may not be diagnosed as suffering from an
37 illness.

1 Section 1 of the bill broadens the definition of
2 communicable disease to include persons with an
3 infectious condition who may not be diagnosed with an
4 illness.

5 Section 2 specifically includes HIV infection as a
6 dangerous communicable disease. It clarifies the
7 definition of an infected person to require more than
8 a mere belief that the person is infected. Section 2
9 also gives the Department of Human Services the
10 authority to designate occupational diseases as
11 notifiable.

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