

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 987

H.P. 718

House of Representatives, March 30, 1989

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

A handwritten signature in cursive script, reading "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative ANTHONY of South Portland.

Cosponsored by Senator GAUVREAU of Androscoggin, Representative CLARK of Brunswick and Representative PENDLETON of Scarborough.

STATE OF MAINE

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

An Act to Amend the Laws Relating to AIDS and Communicable Diseases to Remove the Sunset Provision for Health Care Facility Employees and Applicants for Employment.



1 **Be it enacted by the People of the State of Maine as follows:**

3 **5 MRSA §19204-B, sub-§1**, as enacted by PL 1987, c. 811, §9,
5 is amended to read:

7 **1. Employee testing.** No health care facility may require
9 that any employee or applicant for employment submit to an HIV
11 test or reveal whether the employee or applicant for employment
13 has obtained an HIV test as a condition of employment or to
15 maintain employment, except when based on a bona fide
17 occupational qualification. Enforcement of this subsection is
19 assigned to the Maine Human Rights Commission.

21 ~~This subsection is repealed October 1, 1989.~~

23 **STATEMENT OF FACT**

 This bill removes a repeal provision in the law, thereby
extending the prohibition against HIV testing of employees and
applicants for employment in health care facilities except as a
bona fide occupational qualification.