

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1493

H.P. 1071

House of Representatives, May 4, 1989

Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

Ed Pert

EDWIN H. PERT, Clerk

Presented by Representative BOUTILIER of Lewiston.

Cosponsored by Senator TITCOMB of Cumberland, Representative JACQUES of Waterville and Representative HOGLUND of Portland.

STATE OF MAINE

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

**An Act to Regulate the Storage, Treatment, Disposal and
Transportation of Medical Waste.**



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

3 Sec. 1. 38 MRSA §1304, sub-§1-C is enacted to read:

5 1-C. Medical waste rules required. The board shall
7 promulgate rules relating to the handling, transportation and
9 disposal of medical wastes and specifying the types and
11 quantities of medical waste to be regulated, which shall include,
13 but are not limited to, the types of waste listed in section 1324.

11 Sec. 2. 38 MRSA §1323 is enacted to read:

13 1. Medical wastes defined. As used in this chapter, unless
15 the context otherwise indicates, "medical waste" means:

17 A. Cultures and stocks of infectious agents and associated
19 biologicals, including cultures from medical and
21 pathological laboratories, cultures and stocks of infectious
23 agents from research and industrial laboratories, waste from
25 the production of biologicals, discarded live and attenuated
27 vaccines and culture dishes and devices used to transfer,
29 inoculate and mix cultures;

31 B. Pathological wastes, including tissues, organs and body
33 parts that are removed during surgery or autopsy;

35 C. Waste human blood and products of blood, including
37 serum, plasma and other blood components;

39 D. Sharps that have been used in patient care or in
41 medical, research or industrial laboratories, including
43 hypodermic needles, syringes, pasteur pipettes, broken glass
45 and scalpel blades;

47 E. Contaminated animal carcasses, body parts and bedding of
49 animals that were exposed to infectious agents during
51 research, production of biologicals or testing of
pharmaceuticals;

F. Waste from surgery or autopsy that were in contact with
infectious agents, including soiled dressings, sponges,
drapes, lavage tubes, drainage sets, underpads and surgical
gloves;

G. Laboratory wastes from medical, pathological,
pharmaceutical or other research, commercial or industrial
laboratories that were in contact with infectious agents,
including slides and cover slips, disposable gloves,
laboratory coats and aprons;

H. Dialysis waste that was in contact with the blood of
patients undergoing hemodialysis, including contaminated

1 disposable equipment and supplies such as tubing, filters,
2 disposable sheets, towels, gloves, aprons and laboratory
3 coats;

5 I. Discarded medical equipment and parts that were in
6 contact with infectious agents;

7
8 J. Biological waste and discarded materials contaminated
9 with blood, excretion, exudates or secretion from human
10 beings or animals who are isolated to protect others from
11 communicable diseases; and

12 K. Other waste material that results from the
13 administration of medical care to a patient by a health care
14 provider and is found by the commissioner to pose a threat
15 to human health or the environment.

16
17 2. Medical waste facility permits. Every person who
18 operates a facility for the treatment, storage or disposal of
19 medical waste is required to obtain a permit for the operation of
20 that facility from the Department of Environmental Protection.

21
22 The Commissioner of Environmental Protection, after consultation
23 with the Department of Human Services, shall promulgate rules
24 establishing the standards applicable to the issuance of these
25 permits as may be necessary to protect human health and the
26 environment.

27
28 3. Medical waste transportation permits. Every person who
29 engages in the transportation of medical waste is required to
30 obtain a permit for that transportation from the Department of
31 Environmental Protection.

32
33 The Commissioner of Environmental Protection, after consultation
34 with the Department of Human Services, shall promulgate rules
35 establishing the standards applicable to the issuance of these
36 permits as may be necessary to protect human health and the
37 environment. The rules shall include, but need not be limited
38 to, requirements for record-keeping practices that accurately
39 identify the medical waste transported and track its sources and
40 delivery points.

41
42 4. Enforcement and control. Medical waste shall be subject
43 to the controls, enforcement procedures and remedies established
44 for hazardous matter under chapter 13, subchapter III of this
45 Title.

46

47

STATEMENT OF FACT

48
49
50
51 The purpose of this bill is to require the promulgation of
rules by the Commissioner of Environmental Protection governing

1 the treatment, storage, disposal and transportation of medical
2 waste. The bill incorporates the provisions of the existing law
3 governing hazardous material to establish controls, enforcement
4 procedures and remedies.
5