

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

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Legislative Document

No. 1729

H.P. 1238

House of Representatives, June 8, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

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

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative STEVENS of Bangor.

Cosponsored by Representative PEDERSON of Bangor and Representative CATHCART of Orono.

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STATE OF MAINE

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

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An Act to Promote Greater Access to Health Screening.

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(AFTER DEADLINE)



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

3 22 MRSA §2030-A is enacted to read:

5 Notwithstanding section 2030, certain routine health  
7 screening tests may be requested by a person who is not a  
licensed physician.

9 1. Permitted tests. This section applies to tests of or  
11 for the following:

13 A. Urine:

15 (1) Urinalysis, including microscopic evaluation; or

17 (2) Pregnancy;

19 B. Blood:

21 (1) Pregnancy;

23 (2) Glucose;

25 (3) Potassium;

27 (4) Total cholesterol;

29 (5) High density lipoprotein profile; or

31 (6) Monospot;

33 C. Respiration: pulmonary function;

35 D. Health assessment: computerized health assessment; and

37 E. Colon cancer screening: hemocult cards.

39 2. Prohibited tests. This section does not apply to HIV  
41 tests as defined in Title 5, section 19201.

43 3. Health insurance. The cost of a test performed at the  
45 request of a patient is the patient's responsibility and shall  
47 not be covered by health insurance.

49 4. Explanation of tests. Any test performed under  
51 subsection 1 shall include a brief explanation of the test, the  
test's significance and the meaning of the results.

5. Rules. The Director of the Preventive Health Program  
shall promulgate rules in accordance with the Maine  
Administrative Procedure Act, Title 5, chapter 375, to govern

1 procedures, restrictions or requirements of tests performed under  
2 this section. These rules shall include licensing requirements  
3 of persons performing tests under this section.

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### STATEMENT OF FACT

9 Nonprofit and for profit organizations are providing  
10 widespread health screening tests that may violate current law.  
11 This bill clarifies that this testing is legal and allows  
12 freestanding health screening facilities to provide testing  
13 without the direct involvement of a physician. This bill does  
14 not change the legal or licensing requirements for directors of  
15 medical laboratories or laboratory technicians.