

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 333, L.D. 463, Bill, "An Act to Exempt Substance Abuse and Psychiatric Patients from the Prohibition against Smoking in Hospitals"

Amend the bill in subsection 3 by striking out the 4th and 5th lines (page 1, lines 9 and 10 in L.D.) and inserting in their place the following: 'to smoke or if the patient or resident is being treated in a psychiatric or substance abuse unit. Patients or residents in such a unit must have access to, and be permitted to smoke in, a designated smoking area. The smoking area for the patients or residents of a psychiatric or substance abuse unit must be enclosed and adequately ventilated.'

Further amend the bill in subsection 3 by striking out paragraphs A to C.

Further amend the bill in subsection 3 in the last paragraph in the first line (page 1, line 18 in L.D.) by inserting after the word "resident" the following: 'in a psychiatric or substance abuse unit'

STATEMENT OF FACT

Currently, a hospital may allow a patient to smoke in designated areas within the hospital if a physician has written an order permitting it. The original bill allows the hospital to permit smoking for substance abuse and psychiatric patients without a physician's permission. It further requires that patients who are allowed to smoke must be given access to a designated smoking area unless their physician rules that such access would be a danger to the patient or other persons.

This amendment limits the permission for psychiatric and substance abuse patients to those in special units. It requires that they be permitted to smoke in designated areas unless their

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2 physician indicates that doing so would be a danger to the
patient or other persons and it requires that these areas be
4 enclosed. The amendment removes the requirement that patients in
other than psychiatric or substance abuse units who are allowed
6 to smoke be given access to a designated smoking area.

Reported by the Minority of the Committee on Human Resources
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House
(5/30/91) (Filing No. H-483)