

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 463

H.P. 333

House of Representatives, February 8, 1991

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

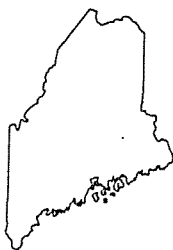
Presented by Representative DORE of Auburn.

Cosponsored by Representative HALE of Sanford, Senator GAUVREAU of Androscoggin and Representative GEAN of Alfred.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Exempt Substance Abuse and Psychiatric Patients from the
Prohibition against Smoking in Hospitals.



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

2
4 22 MRSA §1580-B, sub-§3, as repealed and replaced by PL 1989, c. 878, Pt. G, §1, is amended to read:

6 3. **Exception.** A patient or resident of a hospital may
8 smoke in designated areas within the hospital if a licensed
10 physician has written an order permitting the patient or resident
to smoke, or if the patient or resident is being treated
primarily for any of the following:

12 A. Substance abuse;

14 B. Mental illness; or

16 C. Psychiatric disorder.

18 Any patient or resident who is allowed to smoke in a hospital
20 under this subsection must be given access to a designated
22 smoking area unless the patient's or resident's physician
prescribes that having access to a designated smoking area
presents an immediate danger to the patient or resident or to
others.

24
26 **STATEMENT OF FACT**

28 The bill allows smoking in designated areas of hospitals for
30 patients who are being treated primarily for substance abuse,
mental illness or psychiatric disorders. Present law allows
smoking in hospitals only with the written order of a physician.