

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1532

S.P. 578

In Senate, April 16, 1991

Reference to the Committee on Business Legislation suggested and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator McCORMICK of Kennebec

Cosponsored by Representative RAND of Portland and Representative GWADOSKY of
Fairfield.

STATE OF MAINE

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

**An Act to Establish Ombudsman Positions with the Board of
Registration in Medicine and the Board of Osteopathic Examination and
Registration.**

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

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Sec. 1. 32 MRSA §2561-A is enacted to read:

§2561-A. Ombudsman

1. Ombudsman established. The Governor shall appoint an ombudsman to serve on the staff of the Board of Osteopathic Examination and Registration as an advocate for consumers of osteopathic medical care and services. The person selected as ombudsman must have at least 5 years of experience in a health care profession, a field related to health care or consumer advocacy. The term of office for the ombudsman is 6 years. The Governor may remove the ombudsman from office for malfeasance, misfeasance, nonfeasance or other good cause after delivering written notice to the ombudsman of the reasons for which the Governor intends to remove the ombudsman and providing an opportunity to appear and show cause why the ombudsman should not be removed.

2. Duties. The ombudsman shall:

A. Serve as an advocate for consumers of osteopathic medical care who have filed complaints with the board by assisting them in the presentation of their complaint, by tracking and monitoring the board's action on complaints, informing complainants about actions the board has taken and monitoring board procedures to see that consumers receive fair treatment;

B. Inform the public about the role of the board; and

C. Furnish to the public, on request, information about physician discipline, including past and current disciplinary actions, voluntary surrenders of licenses by physicians and restrictions placed on a physician's practice.

3. Toll-free telephone. The board shall maintain a toll-free telephone number for the ombudsman to facilitate communication with consumers of osteopathic medical care.

4. Information program. The board shall establish a program, which the ombudsman shall coordinate, to inform physicians and medical students about the role and policies of the board.

5. Compensation. The ombudsman is entitled to compensation to be paid by the board from registration fees collected by the board under this chapter.

Sec. 2. 32 MRSA §3263-A is enacted to read:

2 §3263-A. Ombudsman

4 1. Ombudsman established. The Governor shall appoint an
6 ombudsman to serve on the staff of the Board of Registration in
8 Medicine as an advocate for consumers of medical care and
10 services. The person selected as ombudsman must have at least 5
12 years of experience in a health care profession, a field related
14 to health care or consumer advocacy. The term of office for the
ombudsman is 6 years. The Governor may remove the ombudsman from
office for malfeasance, misfeasance, nonfeasance or other good
cause after delivering written notice to the ombudsman of the
reasons for which the Governor intends to remove the ombudsman
and providing an opportunity to appear and show cause why the
ombudsman should not be removed.

16 2. Duties. The ombudsman shall:

18 A. Serve as an advocate for consumers of medical care who
20 have filed complaints with the board by assisting them in
22 the presentation of their complaint, by tracking and
24 monitoring the board's action on complaints, informing
complainants about actions the board has taken and
monitoring board procedures to see that consumers receive
fair treatment;

26 B. Inform the public about the role of the board; and

28 C. Furnish to the public, on request, information about
30 physician discipline, including past and current
32 disciplinary actions, voluntary surrenders of licenses by
physicians and restrictions placed on a physician's practice.

34 3. Toll-free telephone. The board shall maintain a
toll-free telephone number for the ombudsman to facilitate
communication with consumers of medical care.

36 4. Information program. The board shall establish a
38 program, which the ombudsman shall coordinate, to inform
40 physicians and medical students about the role and policies of
the board.

42 5. Compensation. The ombudsman is entitled to compensation
44 to be paid by the board from registration fees collected by the
board under this chapter.

46 **STATEMENT OF FACT**

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50 This bill establishes 2 ombudsman positions. The ombudsmen
52 will serve as advocates for consumers of medical care and to
54 provide education and information to those consumers. One
ombudsman will serve on the staff of the Board of Registration in
Medicine and one will serve on the staff of the Board of
Osteopathic Examination and Registration. The compensation of

2 both ombudsmen will be paid out of registration fees collected
by the 2 boards.