# MAINE STATE LEGISLATURE

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(Filing No. H-915)

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# STATE OF MAINE HOUSE OF REPRESENTATIVES 115TH LEGISLATURE SECOND REGULAR SESSION

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COMMITTEE AMENDMENT "H" to H.P. 1233, L.D. 1797, Bill, "An Act to Establish a Trauma Advisory Committee and a Voluntary Trauma Reporting System"

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Amend the bill by striking out the title and substituting the following:

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#### 'An Act to Establish a Voluntary Trauma-reporting System'

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Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

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'Sec. 1. 22 MRSA c. 256 is enacted to read:

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#### CHAPTER 256

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# TRAUMA REPORTING

### §1421. Definitions

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For the purposes of this chapter, unless the context otherwise indicates, the following terms have the following meanings.

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1. Board. "Board" means the Emergency Medical Services'
Board described in Title 32, section 88.

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#### §1422. Duty of physicians and hospitals

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A hospital may report to the board information regarding persons diagnosed as suffering from trauma. Trauma reports should be made no later than 30 days from the date of diagnosis or the date of discharge from the hospital, whichever is later. Trauma is defined by guidelines published by the board.

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| A physician, upon request of the board, may report to the         |
|---|
| board any further information requested by the board concerning   |
| any person now or formerly under that physician's care who was    |
| diagnosed as having suffered from trauma.                         |
|   |
| A physician or hospital that reports in good faith in             |
| accordance with this chapter is not liable for any civil damages  |
| for making the report.  |
|   |
| §1423. Trauma-incidence registry                                  |
|   |
| The board shall maintain a statewide trauma-incidence             |
| registry that meets the requirements of the federal Trauma Care   |
| Systems Planning and Development Act of 1990, Public Law 101-590, |
| Section 1, 104 Stat. 2915.  |
|   |
| §1424. Confidentiality  |
|   |
| Any information provided to the board under this chapter is       |
| confidential if the information identifies or permits the         |
| identification of a trauma patient or a member of that patient's  |
| family. A person that releases information that is confidential   |
| under this section commits a civil violation for which a          |
| forfeiture not to exceed \$1,000 per violation may be adjudged.   |
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|   |
| FISCAL NOTE   |
|   |
| Costs associated with establishing a trauma-incidence             |
| registry will be absorbed by the Emergency Medical Services Board |
| within the Department of Public Safety utilizing existing         |
| budgeted resources.   |
| · · · · · · · · · · · · · · · · · · ·                             |
| The additional workload and administrative costs associated       |
| with the minimal number of new cases filed in the court system    |
| will be absorbed within the budgeted resources of the Judicial    |
| Department.   |
| Depar chence  |
| The collection of additional fines may increase General Fund      |
| The collection of additional fines may increase General Fund      |
| revenue by a minor amount.'                                       |
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| CTATEMENT OF FACT   |
| STATEMENT OF FACT   |
| mula amandanah samana massisira at the 1911 th                    |
| This amendment removes provisions of the bill that created        |
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## COMMITTEE AMENDMENT "A" to H.P. 1233, L.D. 1797

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The amendment clarifies that hospitals' and physicians' immunity under the trauma reporting laws is limited to actions taken in good faith in accordance with those laws.

The amendment specifies that the registry established under the trauma reporting laws must comply with the requirements of the federal Trauma Care Systems Planning and Development Act of 1990.

The amendment adds a confidentiality section that prohibits the Emergency Medical Services' Board from disclosing any information that could be used to identify a patient or a member of the patient's family and makes unlawful dissemination of that information a civil violation.

The amendment adds a fiscal note to the bill.

Reported by the Majority of the Committee on Human Resources Reproduced and distributed under the direction of the Clerk of the House 2/11/92 (Filing No. H-915)

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