

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1993

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Legislative Document

No. 789

H.P. 585

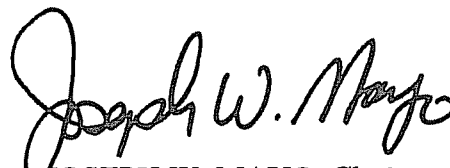
House of Representatives, March 4, 1993

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**An Act to Restrict the Referral of Patients by a Physician to Certain  
Facilities in Which the Physician Has a Financial Interest.**

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Reference to the Committee on Banking and Insurance suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative CARLETON of Wells.  
Cosponsored by Representatives: BARTH of Bethel, BRUNO of Raymond, ERWIN of  
Rumford, HALE of Sanford, MARTIN of Eagle Lake, MITCHELL of Vassalboro, PINEAU of  
Jay, TRACY of Rome, YOUNG of Limestone, Senator: McCORMICK of Kennebec.

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

4 Sec. 1. 24 MRSA c. 21, sub-c. X is enacted to read:

6 SUBCHAPTER X

8 PHYSICIAN REFERRALS

10 §2981. Referrals by certain physicians prohibited

12 1. Prohibited referrals. A physician who has an ownership  
14 or investment interest in a diagnostic or clinical laboratory or  
16 facility or a pharmacy located outside the office of the  
18 physician may not refer patients to that laboratory, facility or  
20 pharmacy.

22 2. Ownership or investment interest. For the purposes of  
24 this section, an ownership or investment interest in a diagnostic  
26 or clinical laboratory or facility or a pharmacy exists whenever,  
28 with regard to the laboratory, facility or pharmacy, a physician  
30 or a member of a physician's immediate family directly or  
32 indirectly:

34 A. Is a general partner, officer, director or employer;

B. Has contributed capital; or

C. Owns, controls or has power to vote.

36 STATEMENT OF FACT

38 This bill prohibits a physician from making referrals to  
40 diagnostic or clinical laboratories or facilities or pharmacies  
42 in which the physician has an ownership or investment interest.