

MAINE STATE LEGISLATURE

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R. OF S.

L.D. 1002

(Filing No. H-415)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 744, L.D. 1002, Bill, "An Act to Amend State Law Regarding HIV Testing"

Amend the bill by striking out all of sections 1 to 4.

Further amend the bill by striking out all of section 7 and inserting in its place the following:

Sec. 7. 5 MRSA §19203-D, sub-§1-A is enacted to read:

1-A. Records confidential. A patient's medical record, including, but not limited to, portions of the record documenting that the patient has received an HIV test or documenting the patient's HIV infection status, is confidential and may not be released without the written consent of the patient or the patient's legal representative unless release without consent is expressly authorized by law.'

Further amend the bill by renumbering the sections to read consecutively.

STATEMENT OF FACT

This amendment is the minority report of the Joint Standing Committee on Human Resources. All of the bill's original provisions are stricken except those regarding medical records. Current law requires that a 2nd written release form be obtained before HIV-related information can be released from a medical record. The amendment repeals the requirement for a 2nd release

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to H.P. 744, L.D. 1002

2 and clarifies that the patient still must provide a written
release before any portion of the medical record, including
4 HIV-related portions, is released. A person violating the
requirement to obtain written release would be subject to
6 existing sanctions that include damages, costs, and a civil
penalty of up to \$5,000.

Reported by the Minority of the Committee on Human Resources
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