

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1993

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Legislative Document

No. 1142

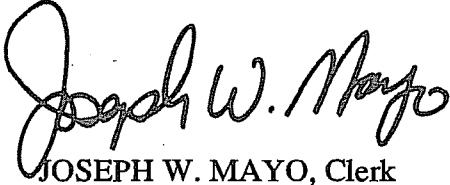
H.P. 837

House of Representatives, April 1, 1993

**An Act to Provide Victims of Medical Injury Access to Information.**

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Reference to the Committee on Judiciary suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative GWADOSKY of Fairfield.

Cosponsored by Representatives: MORRISON of Bangor, STROUT of Corinth.

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

2  
4 **Sec. 1. 24 MRSA §2503, sub-§3, ¶C**, as enacted by PL 1977, c. 492, §3, is amended to read:

6 C. A system for the continuous collection of data with  
8 respect to the provider's experience with negative health  
10 care outcomes and incidents injurious to patients, whether  
12 or not they give rise to claims, patient grievances, claims,  
14 suits, professional liability premiums, settlements, awards,  
allocated and administrative costs of claims handling, costs  
of patient injury prevention and safety engineering  
activities, and other relevant statistics and information;  
and

16 **Sec. 2. 24 MRSA §2503, sub-§3, ¶E** is enacted to read:

18 E. An information mechanism designed to provide a victim of  
20 medical injury with a complete legible copy of all incident  
22 reports related to that medical injury and the opportunity  
24 for the victim, the victim's family and the victim's  
representative to attend and participate in medical care  
meetings called to review the quality and necessity of  
professional services rendered to the patient; and

26 **Sec. 3. 24 MRSA §2510, sub-§3**, as amended by PL 1985, c. 185,  
28 §3, is repealed.

30  
32 **STATEMENT OF FACT**

34 This bill allows a victim of medical injury the opportunity  
36 to participate in medical peer review related to the injury and  
to receive a complete legible copy of the hospital incident  
report reporting the medical injury.

38 The bill also repeals a section of law that shields from  
40 disclosure, discovery, court subpoena and introduction into  
42 evidence certain confidential information received by the Board  
of Registration in Medicine or the Board of Osteopathic  
Examination and Registration.