

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

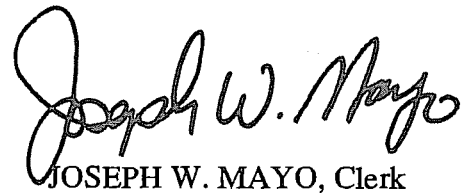
No. 1274

H.P. 945

House of Representatives, April 15, 1993

**An Act to Maintain Confidentiality of Medical Information Reported to
the Department of Human Services.**

Submitted by the Department of Human Services pursuant to Joint Rule 24.
Reference to the Committee on Human Resources suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative PENDLETON of Scarborough.
Cosponsored by Representative: TREAT of Gardiner, Senators: CONLEY of Cumberland,
HARRIMAN of Cumberland.

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

Sec. 1. 22 MRSA §42, sub-§5 is enacted to read:

5. Confidentiality of records containing certain medical information. Department records that contain personally identifying medical information that are created or obtained in connection with the department's public health activities or programs are confidential. These records include, but are not limited to, information on genetic, communicable, occupational or environmental disease entities, and information gathered from public health nurse activities, or any program for which the department collects personally identifying medical information.

The department's confidential records may not be open to public inspection, are not public records for purposes of Title 1, chapter 13, subchapter I and may not be examined in any judicial, executive, legislative or other proceeding as to the existence or content of any individual's records obtained by the department.

Exceptions to this subsection include release of medical and epidemiologic information in such a manner that an individual can not be identified; disclosures that are necessary to carry out the provisions of chapter 250; disclosures made upon written authorization by the subject of the record; and disclosures that are specifically provided for by statute or by departmental rule.

STATEMENT OF FACT

This bill provides that all records of the Department of Human Services that contain personally identifying medical information that are created or obtained in connection with the department's public health activities or programs are confidential.