

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 1089

S.P. 401

In Senate, March 30, 1995

### An Act Relating to Hospital Medical Records.

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Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS  
Secretary of the Senate

Presented by Senator HARRIMAN of Cumberland.

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

4 Sec. 1. 14 MRSA §714 is enacted to read:

6 **§714. Transcript or reproduction**

8 When a subpoena duces tecum is served upon a hospital or  
10 upon a department or bureau of a municipal corporation or the  
12 State, or an officer of a hospital, municipal corporation or the  
14 State, requiring the production of records relating to the  
16 condition or treatment of a patient, a transcript or a full-sized  
18 legible reproduction, certified as correct by the head of the  
20 hospital, department or bureau or that person's assistant, or the  
22 officer, may be produced unless otherwise ordered by a court.  
24 Such a subpoena must be served at least 3 business days before  
26 the time fixed for the production of the records unless otherwise  
ordered by a court.

20 **STATEMENT OF FACT**

22 Currently, when a hospital is issued a subpoena for a  
24 medical record, the hospital may be required to produce the  
26 record immediately. This bill allows the hospital 3 business  
days to produce the record for the party requesting it.