MAINE STATE LEGISLATURE

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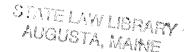
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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

H.P. 1128

House of Representatives, March 19, 1997

An Act Regarding Confidentiality of Information Concerning Residents of Certain Facilities.

Reference to the Committee on Health and Human Services suggested and ordered printed.

OSEPH W. MAYO, Clerk

Presented by Representative WINN of Glenburn.

Be it	enacted	by	the	People	of	the	State	of	Maine	as	follows:
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- Sec. 1. 5 MRSA \$19112, sub-\$\$2 and 3, as enacted by PL 1993, c. 738, Pt. B, \$\$3 and affected by \$\$9, are amended to read:
 - 2. Evaluate allocation of resources. To evaluate on a continuing basis the allocation of resources to ensure the availability of quality services delivered in a coordinated and efficient manner that is consistent with the needs of children and families; and
- 3. Develop coordinated policy. To continue the development of a comprehensive and coordinated approach to initiation and revision of policy affecting services to children and families.

Sec. 2. 5 MRSA §19112, sub-§4 is enacted to read:

- 4. Informal information exchange. To develop a plan for the informal exchange of information among residential service providers, local law enforcement agencies and schools concerning children receiving residential services.
- Sec. 3. 22 MRSA §7806 is enacted to read:

§7806. Confidentiality rules

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As a condition of licensure under this subtitle, the department shall require entities described in section 7801, subsection 1, paragraphs A, A-1, B and C to develop policies for releasing nontreatment information about a resident to law enforcement agencies, schools, parents, guardians or other appropriate public agencies. The department shall establish by rule a model resident information confidentiality policy for entities subject to this section. Rules adopted under this paragraph are routine technical rules pursuant to Title 5, chapter 375, subchapter II-A.

40 SUMMARY

This bill directs the Department of Human Services to condition of licensure, a residential facilities, congregate housing services programs, drug treatment centers and children's homes to develop policies for releasing nontreatment information about residents to quardians and certain agencies. The policies are to be modeled confidentiality policies developed by the department. also requires the Interdepartmental Council to develop a plan for the informal exchange of information about children receiving residential services.