MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 688

H.P. 481

House of Representatives, January 26, 1999

An Act to Allow Medical History and Other Information to be Distributed to Immediate Family.

(EMERGENCY)

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

SEPH W. MAYO, Clerk

Presented by Representative GOODWIN of Pembroke.

Cosponsored by Representatives: BRAGDON of Bangor, PLOWMAN of Hampden,

Senator MURRAY of Penobscot,

Senator PARADIS of Aroostook and

Representatives: BROOKS of Winterport, DUGAY of Cherryfield, KANE of Saco, LOVETT of Scarborough, MARTIN of Eagle Lake, QUINT of Portland, SNOWE-MELLO of Poland, STANLEY of Medway.

	Emergency preamble. Whereas, Acts of the Legislature do not
2	become effective until 90 days after adjournment unless enacted
	as emergencies; and
4	Whereas, current law restricts the amount of information a
6	health care facility may give family or household members of a
Ü	patient; and
8	
	Whereas, it is crucial in certain situations that family or
10	household members be immediately and fully informed of a
	patient's condition; and
12	***
	Whereas, in the judgment of the Legislature, these facts
14	create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately
16	Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and
10	safety; now, therefore,
18	50200j, mon, dmo202010,
	Be it enacted by the People of the State of Maine as follows:
20	
	Sec. 1. 22 MRSA §1711-C, sub-§6, ¶C, as enacted by PL 1997, c.
22	793, Pt. A, $\S 8$ and affected by $\S 10$, is amended to read:
24	C. To a family or household member when an individual is
6 1	receiving diagnosis, treatment or care in an emergency care
26	facility or health care facility A-disolosure made-pursuant
	to-this-paragraph-may-include-only-the-presence-and-general
28	health-condition-of-the-individual;
30	Emergency clause. In view of the emergency cited in the
32	preamble, this Act takes effect when approved.
J.L	
34	SUMMARY
36	Current law permits a health care facility to disclose to a
	patient's family or household members only the patient's presence
38	in the facility and the patient's general health condition unless
40	it has a written authorization from the patient.
40	Under this bill, the health care information a patient's
42	family or household members may receive from a health care
•	facility without written authorization is expanded to include the
44	patient's physical, mental or behavioral condition, personal or
	family medical history or medical treatment or health care
46	provided to the patient. This bill is emergency logislation