

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1012

H.P. 722

House of Representatives, February 4, 1999

An Act to Increase Public Trust in Medical Care.

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

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative McKEE of Wayne.
Cosponsored by Senator GOLDTHWAIT of Hancock and
Representatives: BROOKS of Winterport, BRYANT of Dixfield, ETNIER of Harpswell,
FULLER of Manchester, MAYO of Bath, Senators: PARADIS of Aroostook, PENDLETON
of Cumberland, PINGREE of Knox.

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

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Sec. 1. 22 MRSA §1711-D is enacted to read:

§1711-D. Identification

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Health care facility" means a facility, institution or entity licensed pursuant to this Title that offers health care to persons in this State, including a home health care provider, hospice program and a pharmacy licensed pursuant to Title 32.

B. "Health care practitioner" means a person licensed by this State to provide or otherwise lawfully provide health care or an officer, employee, agent or contractor of that person acting in the course and scope of employment, agency or contract related to or supportive of the provision of health care to an individual.

2. Identification tags. A health care practitioner shall at all times while working in a health care facility wear a clearly visible, easily readable identification tag that displays the first name and surname, the licensure status and the profession, occupation or staff position of the health care practitioner.

3. Exception. A health care facility may adopt a policy granting exceptions to the requirements of this section on the basis of a work situation when wearing an identification badge creates a safety hazard.

4. Enforcement. If the Attorney General has reason to believe that a health care facility has violated or caused health care practitioners to violate subsection 2, the Attorney General may bring an action to enjoin the violation.

5. Penalty. A health care practitioner or health care facility that:

A. Negligently violates subsection 2 commits a civil violation for which a forfeiture not to exceed \$1,000 may be adjudged; or

B. Intentionally violates subsection 2 is subject to a civil penalty not to exceed \$5,000, payable to the State. This penalty is recoverable in a civil action.

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SUMMARY

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6 This bill requires health care practitioners working in
8 health care facilities to wear identification tags that clearly
10 display the practitioner's first name and surname, licensure
status and profession, occupation or staff position. It provides
an exception to the identification tag requirement for reasons of
safety. Penalties are provided for the failure to meet the
identification requirement.