

MAINE STATE LEGISLATURE

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L.D. 1384

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DATE: 5-24-01

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**MAJORITY
HEALTH AND HUMAN SERVICES**

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
FIRST REGULAR SESSION**

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COMMITTEE AMENDMENT "A" to H.P. 1027, L.D. 1384, Bill, "An
Act to Make Active Public Health Investigation Records
Confidential"

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Amend the bill in section 1 in subsection 5 by striking out
all of the last blocked paragraph (page 1, lines 30 to 33 in
L.D.) and inserting in its place the following:

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'Nothing in this subsection precludes the department, during the
data collection phase of an epidemiologic investigation, from
refusing to allow the inspection or copying of any record or
survey instrument, including any redacted record or survey
instrument, containing information pertaining to an identifiable
individual that has been collected in the course of that
investigation. The department's refusal is not reviewable.'

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SUMMARY

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This amendment is the majority report of the Joint Standing
Committee on Health and Human Services. It replaces the proposed
paragraph to provide the department with discretion to withhold
epidemiologic investigation records containing information about
an identifiable individual from inspection and copying by the
public during the data collection phase of the investigation in
which the information was collected. The department's decision
refusing the inspection and copying is not reviewable. The
amendment retains in the bill the restriction on the release of
records even if the subject of the records provides written
authorization; this restriction applies until the data collection
phase is completed.

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