

# MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 526, L.D. 720, Bill, "An Act To Protect Health Care Workers Who Report Medical Errors"

Amend the bill by striking out all of section 2 and inserting in its place the following:

'Sec. 2. 26 MRSA §833, sub-§1, ¶E is enacted to read:

E. The employee, acting in good faith and consistent with state and federal privacy laws, reports to the employer, to the patient involved or to the appropriate licensing, regulating or credentialing authority, orally or in writing, what the employee has reasonable cause to believe is an act or omission that constitutes a deviation from the applicable standard of care for a patient by an employer charged with the care of that patient. For purposes of this paragraph, "employer" means a health care provider, health care practitioner or health care entity as defined in Title 24, section 2502.

Sec. 3. Printing of notice. Notwithstanding the Maine Revised Statutes, Title 26, section 42-B, the Department of Labor, Bureau of Labor Standards is not required to modify and redistribute the printed notice required by that section to reflect the changes in the laws resulting from this Act. The Bureau of Labor Standards shall modify the printed notice to reflect the changes contained in this Act when it becomes necessary to print additional notices due to an insufficient supply of such notices or future changes in the laws.'

COMMITTEE AMENDMENT

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**SUMMARY**

4           This amendment clarifies 2 aspects of the extension of the  
6 Whistleblowers' Protection Act to employees of a health care  
8 provider, health care practitioner or health care entity. First,  
10 the report by the health care worker must be consistent with  
12 state and federal privacy laws. Second, the report may be made  
to the employer, the patient involved or the appropriate  
authority that licenses, regulates or credentials the employer.  
The amendment also requires the Department of Labor to include  
this change in the next printing of the department's regulation  
of employment poster.

**FISCAL NOTE REQUIRED**  
(See attached)

**121st Maine Legislature  
Office of Fiscal and Program Review**



**LD 720**

**An Act to Protect Health Care Workers Who Report Medical Errors**

**LR 1157(02)**

**Fiscal Note for Bill as Amended by Committee Amendment " "**

**Committee: Judiciary**

**Fiscal Note Required: Yes**

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**Fiscal Note**

Minor cost increase - General Fund