

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 720

H.P. 526

House of Representatives, February 14, 2003

An Act To Protect Health Care Workers Who Report Medical Errors

Reference to the Committee on Labor suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative NORBERT of Portland.
Cosponsored by Representatives: BULL of Freeport, DUPLESSIE of Westbrook, SIMPSON of Auburn.

2
3 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 26 MRSA §833, sub-§1, ¶¶C and D,** as enacted by PL 1987,
c. 782, §4, are amended to read:

6 C. The employee is requested to participate in an
investigation, hearing or inquiry held by that public body,
8 or in a court action; ~~or~~

10 D. The employee acting in good faith, has refused to carry
out a directive that would expose the employee or any
12 individual to a condition that would result in serious
injury or death, after having sought and been unable to
14 obtain a correction of the dangerous condition from the
employer; ~~;~~ or

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

18 E. The employee of an employer, acting in good faith, or a
20 person acting on behalf of the employee, reports to the
22 employer, a patient or a public body, orally or in writing,
24 what the employee has reasonable cause to believe is an act
or omission that constitutes a deviation from the applicable
26 standard of care for a patient by an employer charged with
the care of that patient. For purposes of this paragraph,
28 "employer" means a health care provider, health care
practitioner or health care entity as defined in Title 24,
section 2502.

30 **SUMMARY**

32 This bill protects health care workers who report medical
34 errors to their employers, a patient or a public body.