

MAINE STATE LEGISLATURE

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L.D. 1642

DATE: *2-24-04*

(Filing No. H-*719*)

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HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
SECOND SPECIAL SESSION**

COMMITTEE AMENDMENT "*A*" to H.P. 1219, L.D. 1642, Bill, "An Act To Provide an Exemption to the Laws Governing Patient Confidentiality Regarding Certain Former Patients of the Augusta Mental Health Institute"

Amend the bill by striking out the title and substituting the following:

'An Act To Provide an Exemption to the Laws Governing Patient Confidentiality Regarding Certain Former Patients of the State Mental Institutions'

Further amend the bill in section 3 by striking out all of paragraph H (page 1, lines 28 to 30 in L.D.) and inserting in its place the following:

'H. The names and dates of death of individuals who died while patients at the Augusta Mental Health Institute, the Bangor Mental Health Institute or the Riverview Psychiatric Center may be made available to the public in accordance with rules adopted by the department. The rules must require the department to notify the public regarding the release of the information and to maintain the confidentiality of information concerning any deceased individual whose surviving relatives notify the department that they object to public disclosure. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.'

COMMITTEE AMENDMENT

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SUMMARY

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6 The amendment expands the bill to cover patients who died at
the Bangor Mental Health Institute and the Riverview Psychiatric
8 Center, in addition to patients of the Augusta Mental Health
Institute. The amendment also specifies that the date of death,
10 in addition to the patient's name, may be released. The amendment
adds a requirement that the Department of Behavioral and
12 Developmental Services adopt rules to govern the release of
information regarding patients who died at the above-named
14 institutions. The amendment also requires that these rules
require the department to notify the public about the release of
16 information and to maintain the confidentiality of information
relating to a person whose surviving relatives object to
disclosure.

FISCAL NOTE REQUIRED
(See attached)

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



LD 1642

**An Act To Provide an Exemption to the Laws Governing Patient
Confidentiality Regarding Certain Former Patients of the Augusta
Mental Health Institute**

LR 2334(02)

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund