

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 219

S.P. 72

In Senate, January 18, 2005

An Act To Improve the Child Welfare Ombudsman Function

Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.
Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BROMLEY of Cumberland.
Cosponsored by Senator: SNOWE-MELLO of Androscoggin, Representative: FAIRCLOTH
of Bangor.

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

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Sec. 1. 22 MRSA §4087-A, sub-§6. as enacted by PL 2001, c. 439, Pt. X, §5, is amended to read:

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6. Confidentiality of records. Information or records maintained by the program relating to a complaint or inquiry are confidential and may not be disclosed unless the disclosure is permitted by law and consented to by the ombudsman or ordered by court. The reports and records of the ombudsman are not subject to subpoena, discovery or introduction into evidence in a civil or criminal action for any purpose. Records maintained by the program are not public records as defined in Title 1, chapter 13.

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SUMMARY

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This bill provides strict confidentiality to the reports and records of the director of the ombudsman program, which provides services to children and families who are receiving child welfare services from the Department of Health and Human Services.

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