

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1420

H.P. 984

House of Representatives, March 22, 2005

An Act To Establish a Maternal and Infant Death Review Panel

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.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative PINGREE of North Haven.
Cosponsored by Senator MARTIN of Aroostook and
Representatives: MILLETT of Waterford, SHIELDS of Auburn, Senators: MAYO of
Sagadahoc, MITCHELL of Kennebec.

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

2 **Sec. 1. 22 MRSA §4004, sub-§1**, as amended by PL 2001, c. 11,
4 §4, is further amended to read:

6 **1. General.** The department may take appropriate action,
8 consistent with available funding, that will help prevent child
abuse and neglect and achieve the goals of section 4003 and
subchapter XI-A 11-A, including:

10 A. Developing and providing services ~~which~~ that:

12 (1) Support and reinforce parental care of children;

14 (2) Supplement that care; and

16 (3) When necessary, substitute for parental care of
18 children;

20 B. Encouraging the voluntary use of these and other
services by families and children who may need them;

22 C. Cooperating and coordinating with other agencies,
24 facilities or persons providing related services to families
and children;

26 D. Establishing and maintaining a Child Protective Services
28 Contingency Fund to provide temporary assistance to families
to help them provide proper care for their children; ~~and~~

30 E. Establishing a child death and serious injury review
32 panel for reviewing deaths and serious injuries to
children. The panel consists of the following members: the
34 Chief Medical Examiner, a pediatrician, a public health
nurse, forensic and community mental health clinicians, law
36 enforcement officers, departmental child welfare staff,
district attorneys and criminal or civil assistant attorneys
38 general.

40 The purpose of the panel is to recommend to state and local
agencies methods of improving the child protection system,
42 including modifications of statutes, rules, policies and
procedures; and

44 F. Establishing a technical review panel to conduct
46 comprehensive, multidisciplinary reviews of maternal and
48 infant deaths in this State, for the purpose of identifying
the factors associated with the deaths and making
recommendations for system changes to improve services for
50 women with infants in the State. Members of the panel

2 consist of a cross-section of medical, health and social
3 service professionals, as well as families, community
4 representatives and others with an interest in maternal and
5 child health. Composition of the review panel is to be
6 specified in rules pursuant to this section. Rules adopted
7 pursuant to this section are routine technical rules as
8 defined in Title 5, chapter 375, subchapter 2-A. The
9 Director of the Bureau of Health appoints panel members.
10 The panel will periodically issue recommendations based on
11 case findings.

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SUMMARY

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15 This bill directs the Department of Health and Human
16 Services to establish a multidisciplinary panel to review
17 maternal and infant death cases in this State. This panel, in
18 accordance with the Maine Revised Statutes, Title 22, chapter
19 1071, subchapter 11-A, provides the panel with authority to gain
20 access to relevant data including medical, public health, social
21 service and mental health records and ensures that proceedings
22 and records in the possession of the panel remain confidential
23 and exempt from subpoena and legal discovery. The bill also
24 permits the panel to contact families of the deceased to request
additional information and offer grief support resources.