

# MAINE STATE LEGISLATURE

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1  
Date: 3/24/06  
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L.D. 1994  
(Filing No. H-882)

3 **Health and Human Services**

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5 **STATE OF MAINE**  
6 **HOUSE OF REPRESENTATIVES**  
7 **122ND LEGISLATURE**  
8 **SECOND REGULAR SESSION**

9 COMMITTEE AMENDMENT "A" to H.P. 1396, L.D. 1994, Bill, "An Act To  
10 Preserve Patient Records"

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

12 **'Resolve, To Preserve Patient Records'**

13 Further amend the bill by striking out everything after the title and before the  
14 summary and inserting in its place the following:

15 **'Sec. 1. Rules. Resolved:** That no later than January 1, 2007, the Department of  
16 Health and Human Services shall amend the rules regarding licensing for general and  
17 specialty hospitals and ambulatory surgical facilities to require that hospitals and facilities  
18 that record images of a patient using x rays, magnetic resonance imaging or computerized  
19 tomography provide notice of intent to destroy or purge those images. The rules must  
20 provide that the hospital or facility may provide the required notice through publication in  
21 a newspaper that has broad general circulation in the region served by the hospital or  
22 facility or directly to the patient prior to or after taking the image. Rules adopted  
23 pursuant to this section are routine technical rules as defined in the Maine Revised  
24 Statutes, Title 5, chapter 375, subchapter 2-A.'

25 **SUMMARY**

26 This amendment replaces the bill and changes it to a resolve. It directs the  
27 Department of Health and Human Services to amend the rules regarding licensing for  
28 general and specialty hospitals and ambulatory surgical facilities to require general public  
29 notice or notice to a patient when hospitals and facilities plan to destroy or purge images  
30 of a patient that were made using x rays, magnetic resonance imaging or computerized  
31 tomography. The amendment designates the rules as routine technical rules.

**FISCAL NOTE REQUIRED**  
(See attached)

**COMMITTEE AMENDMENT**



Approved: 03/16/06 *mac*

# 122nd MAINE LEGISLATURE

LD 1994

LR 3093(02)

## An Act to Preserve Patient Records

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

Committee: Health and Human Services

Fiscal Note Required: Yes

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### Fiscal Note

Minor cost increase - General Fund

#### Fiscal Detail and Notes

Any additional costs to the Department of Health and Human Service in implementing this bill can be absorbed by the department utilizing existing budgetary resources.