

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

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Legislative Document

No. 61

H.P. 59

House of Representatives, January 9, 2007

**An Act To Add Abortion Providers to the List of Mandated
Reporters to the Department of Health and Human Services**

Reference to the Committee on Health and Human Services suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative DUPREY of Hampden.
Cosponsored by Senator PLOWMAN of Penobscot and
Representatives: CEBRA of Naples, LEWIN of Eliot, McKANE of Newcastle, Senators:
COURTNEY of York, SNOWE-MELLO of Androscoggin.

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

2 **Sec. 1. 22 MRSA §4011-A, sub-§1, ¶A**, as repealed and replaced by PL 2003, c.
3 599, §8 and affected by §§9 and 14, is amended to read:

4 A. When acting in a professional capacity:

- 5 (1) An allopathic or osteopathic physician, resident or intern;
- 6 (2) An emergency medical services person;
- 7 (3) A medical examiner;
- 8 (4) A physician's assistant;
- 9 (5) A dentist;
- 10 (6) A dental hygienist;
- 11 (7) A dental assistant;
- 12 (8) A chiropractor;
- 13 (9) A podiatrist;
- 14 (10) A registered or licensed practical nurse;
- 15 (11) A teacher;
- 16 (12) A guidance counselor;
- 17 (13) A school official;
- 18 (14) A children's summer camp administrator or counselor;
- 19 (15) A social worker;
- 20 (16) A court-appointed special advocate or guardian ad litem for the child;
- 21 (17) A homemaker;
- 22 (18) A home health aide;
- 23 (19) A medical or social service worker;
- 24 (20) A psychologist;
- 25 (21) Child care personnel;
- 26 (22) A mental health professional;
- 27 (23) A law enforcement official;
- 28 (24) A state or municipal fire inspector;
- 29 (25) A municipal code enforcement official;
- 30 (26) A commercial film and photographic print processor;
- 31 (27) A clergy member acquiring the information as a result of clerical
32 professional work except for information received during confidential
33 communications;

1 (28) A chair of a professional licensing board that has jurisdiction over mandated
2 reporters; ~~and~~

3 (29) A humane agent employed by the Department of Agriculture, Food and
4 Rural Resources; and

5 (30) A provider of abortion services when that provider knows or has reasonable
6 cause to suspect that a child under 16 years of age has been sexually abused by a
7 family member. When a report is made under this subparagraph, the department
8 shall keep confidential that the child had sought abortion services.

9

SUMMARY

10 This bill makes providers of abortion services mandatory reporters of child sex abuse
11 with regard to a child under 16 years of age when the provider knows or has reasonable
12 cause to suspect that the child has been sexually abused by a family member. The bill
13 makes confidential the information that the child had sought abortion services.