

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 367

H.P. 297

House of Representatives, January 25, 2007

An Act To Protect Emergency Room Personnel from Civil Liability

Reference to the Committee on Judiciary suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MacDONALD of Boothbay.
Cosponsored by Representatives: McKANE of Newcastle, WOODBURY of Yarmouth,
Senator: DOW of Lincoln.

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

2 **Sec. 1. 14 MRSA §164-B** is enacted to read:

3 **§164-B. Immunity from civil liability for health care practitioners in emergency**
4 **rooms**

5 A health care practitioner, as defined in Title 22, section 1711-C, subsection 1,
6 paragraph F, who, while employed in an emergency room of a hospital, examines a
7 patient who has requested a prescription for a scheduled drug, as described and listed in
8 Title 17-A, section 1102, and denies a prescription to that patient is not liable in a civil
9 action for damages resulting from the decision to deny the prescription for the scheduled
10 drug.

11 **SUMMARY**

12 This bill protects from legal liability in a civil action an emergency room health care
13 practitioner who examines a patient requesting a prescription for a scheduled drug and
14 denies the prescription for the scheduled drug to the patient.