

# MAINE STATE LEGISLATURE

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Date: 6/7/17

(Filing No. H-462)

**CRIMINAL JUSTICE AND PUBLIC SAFETY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
123RD LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 999, L.D. 1425, Bill, "An Act To Facilitate the Reporting of the Crime of Acquiring Drugs by Deception"

Amend the bill by inserting after the enacting clause and before section 1 the following:

'Sec. 1. 17-A MRSA §1108, sub-§3, as amended by PL 2001, c. 383, §128 and affected by §156, is further amended to read:

3. For purposes of this section, information communicated to a ~~physician~~ prescribing health care provider, or a person acting under the direction or supervision of a prescribing health care provider, in an effort to violate this section, including a violation by procuring the administration of a scheduled drug by deception, may not be deemed a privileged communication.'

Amend the bill in section 1 in subsection 6 in the 3rd line (page 1, line 5 in L.D.) by inserting after the following: "person" the following: 'is committing or'

Amend the bill in section 1 in subsection 6 in the 4th line (page 1, line 6 in L.D.) by striking out the following: "official" and inserting the following: 'officer'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment expands the ability of a prescribing health care provider, or a person acting under the direction or supervision of a prescribing health care provider, to report with immunity if the provider or person knows or has reasonable cause to believe that a person is committing deception or has committed deception as specified in the bill. The amendment also changes "law enforcement official" to "law enforcement officer." Finally, the amendment amends another section of law to be consistent with the changes made in the bill.

**FISCAL NOTE REQUIRED**  
(See attached)

**COMMITTEE AMENDMENT**



Approved: 06/05/07 *MAC*

# 123rd MAINE LEGISLATURE

LD 1425

LR 853(02)

**An Act To Facilitate the Reporting of the Crime of Acquiring Drugs by Deception**

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

**Committee: Criminal Justice and Public Safety**

**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - General Fund  
Minor revenue increase - General Fund

### Correctional and Judicial Impact Statements

Providing immunity for good faith reporting may increase the number of criminal drug cases prosecuted.  
The collection of additional fines may also increase General Fund revenue by minor amounts.