

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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Legislative Document

No. 802

S.P. 310

In Senate, March 3, 2009

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**An Act To Require Reporting on Medical Services or Treatment  
Provided to Minors without Parental Consent**

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator NASS of York.  
Cosponsored by Representative CEBRA of Naples and  
Senators: SHERMAN of Aroostook, SMITH of Piscataquis, WESTON of Waldo,  
Representatives: AUSTIN of Gray, DAVIS of Sangerville, JOY of Crystal.

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

2 **Sec. 1. 22 MRSA §1504**, as enacted by PL 1995, c. 694, Pt. C, §8 and affected by  
3 Pt. E, §2, is amended to read:

4 **§1504. Good faith reliance on consent**

5 A health care practitioner or health care provider who takes reasonable steps to  
6 ascertain that a minor is authorized to consent to health treatment as authorized in section  
7 1503 and who subsequently renders treatment in reliance on that consent is not liable for  
8 failing to have secured consent of the minor's parent or guardian prior to providing health  
9 care services to the minor.

10 A health care practitioner or health care provider who provides health care services or  
11 health treatment to a minor without the consent of that minor's parent or guardian shall  
12 file the following information in a report to the Department of Health and Human  
13 Services:

14 **1. Age.** Age of minor;

15 **2. Date of services or treatment provided.** Date of services or treatment provided;

16 **3. Type of services or treatment rendered.** Type of services or treatment rendered,  
17 such as substance abuse counseling, mental health services, general medical treatment,  
18 emergency services, family planning, cosmetic services, dental services or other specified  
19 services;

20 **4. Methods to attempt to obtain consent.** Methods used to attempt to obtain the  
21 consent of the parent or guardian;

22 **5. Date of attempt to obtain consent.** Dates attempts were made to obtain the  
23 consent of the parent or guardian; and

24 **6. Number of times patient treated.** Number of times the patient was treated  
25 previously at the facility.

26 **SUMMARY**

27 This bill requires a health care practitioner or health care provider who provides  
28 health care services or health treatment to a minor without the consent of that minor's  
29 parent or guardian to file a report containing specified information with the Department  
30 of Health and Human Services.