

# MAINE STATE LEGISLATURE

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Date: 4/19/13

(Filing No. H- 84 )

**LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
126TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 286, L.D. 411, Bill, "An Act To Amend the Health Care Practitioner Licensing, Disciplinary and Reporting Laws Regarding Alcohol and Drug Abuse"

Amend the bill in section 1 in §2504 in the first paragraph in the last 2 lines (page 1, lines 8 and 9 in L.D.) by striking out the following: "use of alcohol or drugs that may indicate a substance use disorder" and inserting the following: 'misuse of alcohol, drugs or other substances that may result in the member physician's performing services in a manner that endangers the health or safety of patients'

Amend the bill in section 2 in the first paragraph in the 6th and 7th lines (page 1, lines 17 and 18 in L.D.) by striking out the following: "use of alcohol or drugs that may indicate a substance use disorder" and inserting the following: 'misuse of alcohol, drugs or other substances that may result in the physician's performing services in a manner that endangers the health or safety of patients'

Amend the bill by striking out all of sections 3 to 8 and inserting the following:

**'Sec. 3. 24 MRSA §2505, 2nd ¶,** as amended by PL 1997, c. 107, §3, is further amended to read:

Except for specific protocols developed by a board pursuant to Title 32, section 1073, 2596-A or 3298, a physician, dentist or committee is not responsible for reporting misuse of alcohol ~~or~~, drugs or other substances or professional incompetence or malpractice as a result of physical or mental infirmity or by the misuse of alcohol ~~or~~, drugs or other substances discovered by the physician, dentist or committee as a result of participation or membership in a professional review committee or with respect to any information acquired concerning misuse of alcohol ~~or~~, drugs or other substances or professional incompetence or malpractice as a result of physical or mental infirmity or by the misuse of alcohol ~~or~~, drugs or other substances, as long as that information is reported to the professional review committee. Nothing in this section may prohibit an impaired physician or dentist from seeking alternative forms of treatment.





Approved: 03/29/13 *MBC*

# 126th MAINE LEGISLATURE

LD 411

LR 1401(02)

## An Act To Amend the Health Care Practitioner Licensing, Disciplinary and Reporting Laws Regarding Alcohol and Drug Abuse

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-84)  
Committee: Labor, Commerce, Research and Economic Development  
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

Increases case-loads related to administrative appeals.  
The collection of additional filing fees may also increase General Fund revenue by minor amounts.