

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1214

H.P. 859

House of Representatives, March 26, 2013

**An Act To Require a Mandatory Assessment by a Physician prior to
Psychotropic or Electroconvulsive Therapy**

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative SIROCKI of Scarborough.

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

Sec. 1. 22 MRSA §1711-G is enacted to read:

§1711-G. Physical examination prior to psychotropic drugs or electroconvulsive therapy

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Hospital" means any facility licensed pursuant to sections 1811 and 1817.

B. "Physician" means an individual licensed to practice medicine as provided in Title 32, chapter 36 or Title 32, chapter 48, subchapter 2.

C. "Psychotic condition" means any disease, illness or condition commonly referred to by the medical profession according to ordinary standards of current medical practice as any disorder characterized by psychotic tendencies or bipolar disorder behavior or schizophrenia or other similar condition that, without the administration of appropriate medical treatment, including the use of psychotropic drugs, would constitute a danger to the patient or to others and would result in a patient's being gravely disabled.

2. Physical examination. A physician who may not be the prescribing physician shall conduct a physical examination of a person in a hospital with a psychotic condition prior to the administration of psychotropic drugs or electroconvulsive therapy.

SUMMARY

This bill requires a physical examination by a physician prior to the administration of psychotropic drugs or electroconvulsive therapy to a person in a hospital with a psychotic condition.