

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1267

S.P. 430

In Senate, March 30, 2017

An Act To Protect Licensing Information of Medical Professionals

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator KATZ of Kennebec.
Cosponsored by Representative TUELL of East Machias and
Senators: MAKER of Washington, ROSEN of Hancock.

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

2 **Sec. 1. 32 MRSA §2109**, as enacted by PL 2003, c. 64, §1, is repealed.

3 **Sec. 2. 32 MRSA §2109-A** is enacted to read:

4 **§2109-A. Confidential licensing information**

5 **1. Confidential information.** Information concerning the application for and
6 granting of a license issued by the board under this chapter is confidential and may not be
7 disclosed except as provided in this section.

8 **2. Required disclosures.** The board shall allow inspection of the following
9 information concerning the application for and granting of a license issued by the board:

10 A. The name of the applicant or licensee;

11 B. The business address of the applicant or licensee or, if the business address is not
12 available, the home address of the applicant or licensee after the board redacts any
13 information that identifies the location as the home address of an individual with a
14 disability;

15 C. The business telephone number of the applicant or licensee;

16 D. The educational and occupational background of the applicant or licensee;

17 E. The professional qualifications of the applicant or licensee;

18 F. Any orders and findings that result from formal disciplinary actions against the
19 licensee; and

20 G. Any evidence that has been provided to the board to meet the requirements of any
21 financial responsibility requirement for licensure.

22 **3. Authorized disclosures.** The board may allow inspection of information not
23 designated in subsection 2 if the board finds a compelling public purpose and the rules of
24 the board allow the inspection.

25 **4. Disclosure to applicant or licensee.** Unless otherwise provided by law, the board
26 shall allow inspection of the information in subsection 1 by the applicant or licensee.

27 **5. Sale of licensee names.** If the board sells lists of licensees, the board shall omit
28 from the lists the name of a licensee on written request of that licensee.

29 **Sec. 3. 32 MRSA §2600-A**, as enacted by PL 2001, c. 214, §1, is repealed.

30 **Sec. 4. 32 MRSA §2600-D** is enacted to read:

31 **§2600-D. Confidential licensing information**

32 **1. Confidential information.** Information concerning the application for and
33 granting of a license issued by the board under this chapter is confidential and may not be
34 disclosed except as provided in this section.

1 **2. Required disclosures.** The board shall allow inspection of the following
2 information concerning the application for and granting of a license issued by the board:

3 A. The name of the applicant or licensee;

4 B. The business address of the applicant or licensee or, if the business address is not
5 available, the home address of the applicant or licensee after the board redacts any
6 information that identifies the location as the home address of an individual with a
7 disability;

8 C. The business telephone number of the applicant or licensee;

9 D. The educational and occupational background of the applicant or licensee;

10 E. The professional qualifications of the applicant or licensee;

11 F. Any orders and findings that result from formal disciplinary actions against the
12 licensee; and

13 G. Any evidence that has been provided to the board to meet the requirements of any
14 financial responsibility requirement for licensure.

15 **3. Authorized disclosures.** The board may allow inspection of information not
16 designated in subsection 2 if the board finds a compelling public purpose and the rules of
17 the board allow the inspection.

18 **4. Disclosure to applicant or licensee.** Unless otherwise provided by law, the board
19 shall allow inspection of the information in subsection 1 by the applicant or licensee.

20 **5. Sale of licensee names.** If the board sells lists of licensees, the board shall omit
21 from the lists the name of a licensee on written request of that licensee.

22 **Sec. 5. 32 MRSA §3300-A,** as enacted by PL 2001, c. 214, §2, is repealed.

23 **Sec. 6. 32 MRSA §3300-G** is enacted to read:

24 **§3300-G. Confidential licensing information**

25 **1. Confidential information.** Information concerning the application for and
26 granting of a license issued by the board under this chapter is confidential and may not be
27 disclosed except as provided in this section.

28 **2. Required disclosures.** The board shall allow inspection of the following
29 information concerning the application for and granting of a license issued by the board:

30 A. The name of the applicant or licensee;

31 B. The business address of the applicant or licensee or, if the business address is not
32 available, the home address of the applicant or licensee after the board redacts any
33 information that identifies the location as the home address of an individual with a
34 disability;

35 C. The business telephone number of the applicant or licensee;

36 D. The educational and occupational background of the applicant or licensee;

