

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1545

S.P. 540

In Senate, April 27, 2017

An Act Regarding Disclosure of Health Care Information of a Deceased Person

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

A handwritten signature in cursive script, reading 'Heather J.R. Priest'.

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator LIBBY of Androscoggin.

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

2 **Sec. 1. 22 MRSA §1711-C, sub-§6, ¶S**, as amended by PL 2015, c. 370, §4, is
3 further amended to read:

4 S. To a member of the public who asks a health care facility about an individual by
5 name, of the room number of the individual and brief confirmation of general health
6 status unless expressly prohibited by the individual or a person acting pursuant to
7 subsection 3-B; ~~and~~

8 **Sec. 2. 22 MRSA §1711-C, sub-§6, ¶T**, as enacted by PL 2015, c. 370, §5, is
9 amended to read:

10 T. To a lay caregiver designated by an individual pursuant to section 1711-G; and

11 **Sec. 3. 22 MRSA §1711-C, sub-§6, ¶U** is enacted to read:

12 U. If an individual is deceased, to a member of the individual's immediate family
13 upon request of the immediate family member. For purposes of this paragraph,
14 "immediate family" means a spouse, parent or adult who is a child, grandchild or
15 sibling of the individual and includes the parent or guardian of a minor child of the
16 deceased when there is documented need for parental medical history for the health
17 and well-being of that minor child.

18 **SUMMARY**

19 This bill requires a health care practitioner or facility to provide health care
20 information of a deceased person to an immediate family member upon request of the
21 family member, including the parent or guardian of a minor child of the deceased when
22 there is documented need for parental medical history for the health and well-being of
23 that minor child.