

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2020

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Legislative Document

No. 1996

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S.P. 698

In Senate, January 8, 2020

### **An Act Concerning the Reporting of Health Care Information to the Emergency Medical Services' Board**

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Submitted by the Department of Public Safety pursuant to Joint Rule 203.  
Reference to the Committee on Health Coverage, Insurance and Financial Services  
suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator SANBORN, H. of Cumberland.  
Cosponsored by Representative GATTINE of Westbrook and  
Senator: DESCHAMBAULT of York.

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

2 **Sec. 1. 32 MRSA §88, sub-§2, ¶K** is enacted to read:

3 K. The board may collect or receive health care information or records, including  
4 information or records that identify or permit identification of any patient, for the  
5 purpose of monitoring and improving the provision of emergency medical services  
6 within the State.

7 **Sec. 2. 32 MRSA §91-B, sub-§1, ¶E** is enacted to read:

8 E. Information provided to the board under section 88, subsection 2, paragraph K is  
9 confidential if the information identifies or permits the identification of a patient or a  
10 member of that patient's family.

11 **Sec. 3. 32 MRSA §91-B, sub-§1, ¶F** is enacted to read:

12 F. Information provided to the board under section 96 is confidential if the  
13 information identifies or permits the identification of a patient who received  
14 emergency medical treatment or a member of that patient's family.

15 **Sec. 4. 32 MRSA §96** is enacted to read:

16 **§96. Assessment, treatment and health outcomes**

17 For the purpose of evaluating follow-up assessment and treatment by physicians and  
18 hospitals and determining health outcomes, the board may request and collect health care  
19 information or records, including information or records that identify or permit  
20 identification of any patient, concerning individuals who have received emergency  
21 medical treatment within the State.

22 **1. Reporting by physicians and hospitals.** Physicians and hospitals shall report  
23 health care information concerning individuals who have received emergency medical  
24 treatment as follows.

25 A. A hospital, upon request of the board pursuant to this section, shall report to the  
26 board information requested by the board, including information or records that  
27 identify or permit identification of any patient, concerning an individual under or  
28 formerly under that hospital's care who received emergency medical treatment. A  
29 hospital may satisfy the board's request for information by using a state-designated  
30 statewide health information exchange as described in Title 22, section 1711-C,  
31 subsection 18.

32 B. A physician, upon request of the board pursuant to this section, shall report to the  
33 board information requested by the board, including information or records that  
34 identify or permit identification of any patient, concerning an individual under or  
35 formerly under that physician's care who received emergency medical treatment. A  
36 physician may satisfy the board's request for information by using a state-designated  
37 statewide health information exchange as described in Title 22, section 1711-C,  
38 subsection 18.

1 A physician or hospital that reports in good faith in accordance with this subsection is not  
2 liable for any civil damages for making the report.

3 **SUMMARY**

4 This bill amends the laws governing the reporting of health care information to the  
5 Department of Public Safety, Maine Emergency Medical Services, Emergency Medical  
6 Services' Board. The bill allows the board to collect or receive health care information or  
7 records, including information or records that identify a patient. The bill requires  
8 hospitals and physicians, upon request by the board for the purpose of evaluating follow-  
9 up assessment and treatment by physicians and hospitals and determining health  
10 outcomes, to provide health care information concerning individuals who have received  
11 emergency medical treatment.

12 The bill also makes the reportable health care information confidential. Personally  
13 identifiable trauma information is already confidential.