

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Third Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Second Legislature
AT THE
SPECIAL SESSION
January 17 - February 9, 1966

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective February 1, 1966

Chapter 490

AN ACT Relating to Disclosure of Information to Insurers of State Hospital Patients.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment of the Legislature unless enacted as emergencies; and

Whereas, many patients in the state hospitals for the mentally ill are incapable of giving consent to the disclosure of information needed by insurers, governmental and commercial, from whom such patients are entitled to benefits, and with the advent of "medi-care" under the Social Security Act the frequency of the availability of such benefits will increase sharply; thus, bringing about an increase in the number of inquiries regarding patients made by the Social Security Agency. There is also a continuing increase in the number of inquiries regarding patients made by commercial insurers of such patients as such companies offer and expand coverage for mental illness; and

Whereas, requests by such insurers for information regarding such patients are made for the limited purpose of determining eligibility for, and amount of, benefits, and not for a purpose even possibly detrimental to such patients; and

Whereas, the availability of reimbursement to the State for furnishing board and care to such patients is dependent upon the prompt availability to the insurers of pertinent information regarding such patients, the realization of reimbursement in many cases being hampered by the restrictive disclosure of information provisions of the existing statute; and

Whereas, the following Act is vitally necessary to assure the prompt receipt of benefits to which patients incapable of giving consent to the disclosure of information are entitled, and to assure the efficient and productive operation of the Reimbursement Division of the Department of Mental Health and Corrections; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

R. S., T. 34, § 2256, amended. The 2nd paragraph of section 2256 of Title 34 of the Revised Statutes is amended to read as follows:

'Nothing in this section shall preclude disclosure, upon proper inquiry, of information as to his current medical condition to any members of the family

of a patient or to his relatives or friends, nor the disclosure of any information concerning the patient to other hospitals, accredited social agencies or for purposes of research; nor the disclosure of biographical or medical information concerning the patient to commercial or governmental insurers, or any other corporation, association or agency from which the department may receive reimbursement for the care and treatment or support of the patient; nor shall this section affect the public-record status of the court docket, so called.'

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Approved February 1, 1966

Chapter 491

AN ACT Relating to Weight Tolerances of Vehicles Loaded with Wood Chips.

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

R. S., T. 29, § 1655, amended. The first sentence of section 1655 of Title 29 of the Revised Statutes, as amended by chapters 170 and 225 of the public laws of 1965, is further amended to read as follows:

'The operation on the highways of any vehicle loaded entirely with firewood, pulpwood, **wood chips**, logs or bolts or loaded entirely with farm produce or dump trucks, tractor dump trucks or transit-mix concrete trucks carrying highway construction materials or the operation on the highways of any vehicle loaded with any products requiring refrigeration, whether by ice or mechanical equipment shall not be deemed to be in violation of any of the provisions of sections 246, 1652 or 1654 and 1656 relating to weights of vehicles, weights of loads, tonnages or overloads if the gross weight of such vehicle and its load does not exceed 110% of the maximum gross weight for which such vehicle is then registered nor 110% of the maximum gross weight permitted for such vehicle by section 1652, and if the weight thereof imparted to any road surface by an axle or axles does not exceed 110% of the maximum axle weight permitted therefor by section 1652; provided that no vehicle loaded as aforesaid shall be deemed in violation of the above said sections if, as to each axle, the weight imparted to any road surface is not greater than the combined total of 600 pounds per inch width tire, manufacturer's rating, of all tires attached to such axle and provided further that the maximum gross vehicle weight shall not exceed the limits and tolerances established in this Title.'

Effective May 11, 1966

Chapter 492

AN ACT Relating to Acquisition of Land and Materials for Highway Purposes.

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

Sec. 1. R. S., T. 23, § 153, repealed and replaced. Section 153 of Title 23 of the Revised Statutes, as amended by section 1 of chapter 295 of the public laws of 1965, is repealed and the following enacted in place thereof: