

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

SECOND SPECIAL SESSION

November 18, 1983

AND AT THE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

AND AT THE

THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH
IN ACCORDANCE WITH MAINE REVISED STATUTES
ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND ELEVENTH LEGISLATURE
JANUARY 4, 1984 TO APRIL 25, 1984

CHAPTER 848

H.P. 1589 - L.D. 2099

AN ACT to Amend the Statutes Relating to
Handicapping Conditions Under the Human
Services Law.

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

Sec. 1. 22 MRSA c. 261 is repealed.

Sec. 2. 22 MRSA c. 261-A is enacted to read:

CHAPTER 261-A

PREVENTION OF HANDICAPPING CONDITIONS

§1531. Care of infants after birth

Every physician, midwife or nurse in charge shall instill or cause to be instilled into the eyes of an infant upon its birth one or 2 drops of a prophylactic solution prescribed by the department and provided without cost by the department, except an infant whose parents object to this procedure on the grounds that it conflicts with their religious tenets and practices. If one or both eyes of an infant become reddened or inflamed at any time within 4 weeks after birth, the midwife, nurse or person having charge of the infant shall report the condition of the eyes at once to a physician licensed under Title 32, chapter 36 or 48. Failure to comply with this section shall be punishable by a fine of not more than \$100 or by imprisonment for not more than 6 months.

§1532. Detection of mental retardation

The department may require hospitals, maternity homes and other maternity services to test newborn infants, or to cause them to be tested, for the presence of metabolic abnormalities which may be expected to result in subsequent mental deficiencies. The department shall promulgate rules to define this requirement and the approved testing methods, materials, procedure and testing sequences. Reports and records of those making these tests may be required to be submitted to the department in accordance with departmental rules. The department may, on request, offer consultation, training and evaluation services

to those testing facilities. The provisions of this section shall not apply if the parents of a child object to them on the grounds that the test conflicts with their religious tenets and practices.

§1533. Advisory program for genetic conditions

1. Purpose; program. A voluntary statewide genetics program is established, which offers testing, counseling and education to parents and prospective parents. The program shall include, but not be limited to, the following services:

A. Follow-up programs for newborn testing, with emphasis on the counseling and education of women at risk for maternal phenylketonuria (PKU);

B. Comprehensive genetic services to all areas of the State and all segments of the population;

C. Development of counseling and testing programs for the diagnosis and management of genetic conditions and metabolic disorders; and

D. Development and expansion of educational programs for physicians, allied health professionals and the public, with respect to:

(1) The nature of genetic processes;

(2) The inheritance patterns of genetic conditions; and

(3) The means, methods and facilities available to diagnose, counsel and treat genetic conditions and metabolic disorders.

2. Responsibility for the program. The commissioner shall designate personnel within the Division of Maternal and Child Health to:

A. Coordinate matters pertaining to detection, prevention and treatment of genetic conditions and metabolic disorders;

B. Cooperate with and stimulate public and private not-for-profit associations, agencies, corporations, institutions or other entities involved in developing and implementing eligible programs and activities designed to provide services for genetic conditions and metabolic disorders;

C. Administer any funds which are appropriated for the services and expenses of a genetic screening, counseling and education program;

D. Enter into agreements and contracts for the delivery of genetic services;

E. Establish, promote and maintain a public information program on genetic conditions and metabolic disorders and the availability of counseling and treatment services;

F. Publish, from time to time, the results of any relevant research, investigation or survey conducted on genetic conditions and metabolic disorders and, from time to time, collate those publications for distribution to scientific organizations and qualified scientists and physicians; and

G. Promulgate regulations necessary to carry out the purposes of this section.

3. Eligibility for contracts. A public or private not-for-profit association, agency, corporation, institution or other entity shall be eligible to enter into contracts pursuant to this section if it satisfies the following requirements.

A. The entity shall submit an application for a contract in the manner and on forms prescribed by the commissioner.

B. The project or activity to be carried out by the entity, either directly or through an integrated, coordinated arrangement, shall include some or all of the following services:

(1) Prenatal testing and diagnosis;

(2) Genetic diagnosis, treatment and counseling;

(3) Newborn metabolic testing, laboratory services and nutritional follow-up; or

(4) Genetics education programs for health professionals and the public.

C. The project or activity shall be consistent with the objectives of this section and shall be coordinated with resources existing in the community in which it is located.

Sec. 3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1984-85

HUMAN SERVICES, DEPARTMENT OF

Bureau of Health

All Other \$100,000

Effective July 25, 1984.

CHAPTER 849

S.P. 652 - L.D. 1842

AN ACT to Require that the Aid to Families with Dependent Children Program Promote Family Unity.

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

Sec. 1. 22 MRSA §3741, as repealed and replaced by PL 1967, c. 459, §1, is amended to read:

§3741. Aid to dependent children

The department ~~is authorized to~~ may administer and operate a program of aid to dependent children within the ~~Federal~~ United States Social Security Act and any amendments and additions thereto. The department shall also implement and operate a program of aid to the dependent children of intact families with unemployed parents in accordance with the United States Code, Title 42, Section 607, as amended.

Sec. 2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1984-85

HUMAN SERVICES, DEPARTMENT OF

Aid to Families with Dependent Children

All Other (\$188,142)