

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 2010 to June 29, 2011

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IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2011

decision whether to release or further detain the juvenile.

Sec. 3. 15 MRSA §3305, first ¶, as amended by PL 1989, c. 741, §14, is further amended to read:

An answer to a petition need not be entered by a juvenile or by the juvenile's parents, guardian or legal custodian. A juvenile may enter an answer admitting the allegations of the petition, in accordance with Rules 11 and 11A, Maine Rules of Criminal Procedure, except that, if the case has been continued for investigation and for a bind-over hearing pursuant to section 3101, subsection 4, paragraph A, the court may not accept an answer to the petition until the court has conducted a bind-over hearing and has decided to retain jurisdiction of the juvenile in the Juvenile Court or until the prosecuting attorney has withdrawn the request to have the juvenile tried as an adult.

Sec. 4. 15 MRSA §3310, sub-§7 is enacted to read:

7. Default judgment on certain juvenile crimes. If a juvenile fails to appear in response to a juvenile summons served pursuant to section 3304 for a juvenile crime described in section 3103, subsection 1, paragraph B or C, the judge may enter the juvenile's default, adjudicate that the juvenile has committed the juvenile crime alleged and impose a fine pursuant to section 3314, subsection 1, paragraph G. For good cause shown, the court may set aside the default and adjudication.

See title page for effective date.

CHAPTER 337

H.P. 484 - L.D. 654

An Act To Amend the Occupational Disease Reporting Laws

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

Sec. 1. 22 MRSA §1493, as enacted by PL 1985, c. 452, §1 and amended by PL 2003, c. 689, Pt. B, §6, is further amended to read:

§1493. Duties of health care providers, health care facilities and medical laboratories

All ~~physicians or hospitals~~ health care providers, health care facilities and medical laboratories shall report to the Department of Health and Human Services all persons diagnosed as having an occupational disease no later than 30 days from the date of diagnosis or from discharge from a hospital. The report ~~shall~~ must include any factor known to the physician ~~which~~ that is suspected of being a contributing factor to the disease, including, but not limited to, whether or not

the person smokes and, if so, the frequency of smoking.

~~A physician health care provider, health care facility or medical laboratory~~, upon notification by the Department of Health and Human Services, shall report to the department any further information requested by the department concerning any person now or formerly under ~~his~~ its care, diagnosed as having or having had an occupational disease.

~~No physician or hospital~~ A health care provider, health care facility or medical laboratory complying with the reporting requirements of this section ~~may be~~ is not liable for any civil damages as a result of those acts.

Sec. 2. 22 MRSA §1494, as enacted by PL 1985, c. 452, §1, is repealed and the following enacted in its place:

§1494. Confidentiality

Unless otherwise authorized by section 42, subsection 5, the department may not release any information described in section 1493 regarding reporting of occupational diseases if that information identifies persons with occupational diseases directly or indirectly. The department may disclose information that relates to the site of employment to the Department of Labor, Bureau of Labor Standards if the disclosure contains only the information necessary to advance the public health and does not directly identify an individual having an occupational disease.

All other information submitted pursuant to this chapter may be made available to the public.

See title page for effective date.

CHAPTER 338

S.P. 365 - L.D. 1244

An Act Regarding Payment of Medical Fees in the Workers' Compensation System

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

Sec. 1. 39-A MRSA §206, sub-§14, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is amended to read:

14. Employer not liable. An employer is not liable under this Act for charges for health care services to an injured employee in excess of those established under section ~~209~~ 209-A, except upon petition as provided. The board shall allow charges in excess of those provided under section ~~209~~ 209-A against the employer if the provider satisfactorily demonstrates to the board that the services were extraordinary or that the