

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION
June 19, 2018 to September 13, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 13, 2018

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2018 to June 20, 2019

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 2019

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

Augusta, Maine
2019

available to the patient in accordance with the requirements of 45 Code of Federal Regulations, Section 164.524 (2019) or for a hospital not subject to the requirements of 45 Code of Federal Regulations, Section 164.524 (2019) within a reasonable time unless, in the opinion of the hospital, it would be detrimental to the health of the patient to obtain the records. If the hospital is of the opinion that release of the records to the patient would be detrimental to the health of the patient, the hospital shall advise the patient that copies of the records will be made available to the patient's authorized representative upon presentation of a proper authorization signed by the patient. The hospital may exclude from the copies of medical records released any information related to a clinical trial sponsored, authorized or regulated by the federal Food and Drug Administration.

If an authorized representative for a patient requests, in writing, that a hospital provide the authorized representative with a copy of the patient's medical records and presents a proper authorization from the patient for the release of the information, copies must be provided to the authorized representative in accordance with the requirements of 45 Code of Federal Regulations, Section 164.524 (2019) or for a hospital not subject to the requirements of 45 Code of Federal Regulations, Section 164.524 (2019) within a reasonable time.

Sec. F-2. 22 MRSA §1711-B, sub-§2, as amended by PL 1997, c. 793, Pt. A, §4 and affected by §10, is further amended to read:

2. Access. Upon written authorization executed in accordance with section 1711-C, subsection 3, a health care practitioner shall release copies of all treatment records of a patient or a narrative containing all relevant information in the treatment records to the patient. The health care practitioner may exclude from the copies of treatment records released any personal notes that are not directly related to the patient's past or future treatment and any information related to a clinical trial sponsored, authorized or regulated by the federal Food and Drug Administration. The copies or narrative must be released to the designated person in accordance with the requirements of 45 Code of Federal Regulations, Section 164.524 (2019) or for a health care practitioner not subject to the requirements of 45 Code of Federal Regulations, Section 164.524 (2019) within a reasonable time.

If the practitioner believes that release of the records to the patient is detrimental to the health of the patient, the practitioner shall advise the patient that copies of the treatment records or a narrative containing all relevant information in the treatment records will be made available to the patient's authorized representative upon presentation of a written authorization signed by the patient. The copies or narrative must be released to the authorized representative in accordance with the

requirements of 45 Code of Federal Regulations, Section 164.524 (2019) or for a health care practitioner not subject to the requirements of 45 Code of Federal Regulations, Section 164.524 (2019) within a reasonable time.

Except as provided in subsection 3, release of a patient's treatment records to a person other than the patient is governed by section 1711-C.

See title page for effective date.

CHAPTER 504

H.P. 147 - L.D. 184

An Act To Amend the Veterans' Homelessness Prevention Coordination Program

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

Whereas, the need to support homeless veterans is immediate and crucial for their health, safety and welfare; 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:

Sec. 1. 37-B MRSA §513, as enacted by PL 2011, c. 329, §1, is repealed.

Sec. 2. 37-B MRSA §513-A is enacted to read:

§513-A. Veterans' homelessness prevention coordination

1. Veterans' homelessness prevention partnership. The director shall, through one or more collaborative agreements, establish a program of partnerships with human services-based volunteer organizations to provide transitional housing to homeless veterans and coordinate efforts to remedy and prevent homelessness among veterans in this State. The volunteer organizations must have as their core programs addressing homelessness and veterans' services and have been active in the State for at least 2 years. Priority must be given to an organization founded, chartered or organized in the State. The director may accept donations from outside sources and state and federal funding to accomplish the priorities of the partnerships. To the

extent state, federal or outside funding is available, the priorities of these partnerships, listed in order of priority, include, but are not limited to:

- A. Identifying homeless veterans in the State;
- B. Identifying and securing temporary or permanent living space for veterans within the veterans' communities;
- C. Providing reimbursement to human services-based volunteer organizations that provide transitional housing to homeless veterans pursuant to collaborative agreements entered into pursuant to this subsection; and
- D. Conducting annual outreach events, targeted to reach the maximum number of veterans in need, to disseminate information on resources and services available to assist homeless veterans.

2. Rules. The bureau may adopt rules necessary to implement this section, including to define "veterans" for purposes of this section, to govern collaborative agreements with human services-based volunteer organizations and to govern the reimbursement of organizations that provide transitional housing to homeless veterans through disbursements from the Veterans' Homelessness Prevention Partnership Fund.

Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

3. Fund established. The Veterans' Homelessness Prevention Partnership Fund, a nonlapsing fund, is established under the bureau for the purpose of receiving funds from state, federal and other sources, including donations from private citizens, corporations and entities for the purpose of this section. The bureau shall use the fund to provide reimbursement to human services-based volunteer organizations that provide transitional housing to homeless veterans and to otherwise carry out the purposes of this section.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Veterans Services 0110

Initiative: Provides ongoing funding for reimbursements to a human services-based volunteer organization that provides transitional housing to homeless veterans.

GENERAL FUND	2019-20	2020-21
All Other	\$100,000	\$100,000
GENERAL FUND TOTAL	\$100,000	\$100,000

Veterans Services 0110

Initiative: Establishes one part-time Office Associate II position to provide auditing and accounting services to the veterans' homelessness prevention coordination program.

GENERAL FUND	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$29,691	\$30,582
All Other	\$2,500	\$2,500
GENERAL FUND TOTAL	\$32,191	\$33,082

Veterans Services 0110

Initiative: Establishes the Veterans' Homelessness Prevention Partnership Fund with a base Other Special Revenue Funds allocation of \$500 beginning in fiscal year 2019-20.

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

DEPARTMENT TOTALS	2019-20	2020-21
GENERAL FUND	\$132,191	\$133,082
OTHER SPECIAL REVENUE FUNDS	\$500	\$500
DEPARTMENT TOTAL - ALL FUNDS	\$132,691	\$133,582

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective June 28, 2019.