**§1711-F. Transfer of member health care information by MaineCare program for purpose of diagnosis, treatment or care**

The MaineCare program established under chapter 855 may transfer member health care information to a health care practitioner or health care facility for the purpose of diagnosis, treatment or care of the member through an electronic health information exchange in accordance with this section. [PL 2009, c. 387, §3 (NEW).]

**1. Definitions.**  For the purposes of this section, "health care facility" has the same meaning as in section 1711‑C, subsection 1, paragraph D and "health care practitioner" has the same meaning as in section 1711‑C, subsection 1, paragraph F.

[PL 2009, c. 387, §3 (NEW).]

**2. Individual protection mechanism.**  The department shall provide an individual protection mechanism for MaineCare members by which an individual may prohibit a health information exchange from disclosing the individual's health care information to a health care practitioner or health care facility.

[PL 2009, c. 387, §3 (NEW).]

**3. Health care information subject to other laws, rules and regulations.**  Health care information that is subject to the provisions of 42 United States Code, Section 290dd‑2 (Supplement 1998); chapters 710‑B and 711; Title 5, section 200‑E; Title 5, chapter 501; Title 24 or 24‑A; Title 34‑B, section 1207; Title 39‑A; or other confidentiality provisions of state or federal law, rule or regulation is governed solely by those provisions.

[PL 2009, c. 387, §3 (NEW).]

SECTION HISTORY

PL 2009, c. 387, §3 (NEW).

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