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HEALTH AND HUMAN SERVICES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
132ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT " " to H.P. 381, L.D. 613, "An Act to Amend the Maine Death with Dignity Act to Ensure Access by Qualified Patients"

Amend the bill by striking out all of section 1 and inserting the following:

'Sec. 1. 22 MRSA §2140, sub-§11, as enacted by PL 2019, c. 271, §4, is repealed and the following enacted in its place:

11. Written and oral requests; waiting periods. To receive a prescription for medication that the qualified patient may self-administer under this Act, a qualified patient must make 2 oral requests, at least 15 days apart, and a written request to the qualified patient's attending physician. At the time the qualified patient makes the qualified patient's 2nd oral request, the attending physician shall offer the qualified patient an opportunity to rescind the request. The date the qualified patient signs the written request must be no earlier than 15 days after the initial oral request. At least 48 hours must elapse between the date the qualified patient signs the written request and the writing of a prescription under this Act.

The attending physician may waive any portion or all of the waiting periods required in this subsection if, in the attending physician's medical opinion, it is in the best interests of the qualified patient, given the qualified patient's condition.

Sec. 2. 22 MRSA §2140, sub-§13, as enacted by PL 2019, c. 271, §4, is repealed.'

Amend the bill by striking out all of section 4 and inserting the following:

'Sec. 4. 22 MRSA §2140, sub-§14, ¶H is enacted to read:

H. When a portion or all of the waiting periods under this section have been waived pursuant to subsection 11, a note by the attending physician that, in the attending physician's medical opinion, it is in the best interests of the qualified patient to waive a portion or all of the waiting periods, given the qualified patient's condition, and what portion of the waiting periods has been waived.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

COMMITTEE AMENDMENT

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SUMMARY

This amendment, which is the majority report of the committee, clarifies the process for a qualified patient to make oral and written requests for a prescription for medication to end the qualified patient's life.