

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Except from the Freedom of Access Act Certain Information in the Possession of the Maine Public Employees Retirement System

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

Sec. 1. 5 MRSA §17057, sub-§1, as repealed and replaced by PL 1991, c. 824, Pt. A, §7, is amended to read:

1. Medical information. Medical information of any kind in the possession of the retirement system, including information pertaining to diagnosis or treatment of mental or emotional disorders, is confidential and not open to public inspection and does not constitute "public records" as defined in Title 1, section 402, subsection 3. Records containing medical information may be examined by the employee to whom they relate or by the State or participating local district employer of the employee for any purposes related to any claim for workers' compensation or any other benefit. The employee must be advised in writing by the retirement system of any request by the employer to examine the employee's medical records. Medical information obtained pursuant to this section remains confidential, except as otherwise provided by law, and except when involved in proceedings resulting from an appeal pursuant to section 17451 ~~or proceedings regarding claims for other retirement benefits, subsection 2.~~

Sec. 2. 5 MRSA §17057, sub-§2, as repealed and replaced by PL 1991, c. 824, Pt. A, §7, is repealed and the following enacted in its place:

2. Financial and personal information. The following private financial and personal information of members, beneficiaries or participants in any of the programs of the retirement system in the possession of the retirement system is confidential and not open to public inspection and does not constitute "public records" as defined in Title 1, section 402, subsection 3:

- A. Information regarding member, beneficiary or participant accounts with financial institutions, including account numbers;
- B. Information regarding member and beneficiary election of payment methods, including elected deductions from those payments;
- C. Information regarding participation in defined contribution or deferred compensation plans, including account numbers, investment allocations, contributions, distributions and balances;
- D. Information regarding designated beneficiaries; and
- E. Information regarding a participant's amount of insurance coverage or group life insurance.

SUMMARY

SP0137, LD 410, item 1, 128th Maine State Legislature
An Act To Except from the Freedom of Access Act Certain Information
in the Possession of the Maine Public Employees Retirement System

This bill excepts from the Freedom of Access Act specific private medical, personal and financial information of members, beneficiaries and participants in any of the programs of the Maine Public Employees Retirement System in the possession of the system.