

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 Protect Licensing Information of Medical Professionals

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

Sec. 1. 32 MRSA §2109, as enacted by PL 2003, c. 64, §1, is repealed.

Sec. 2. 32 MRSA §2109-A is enacted to read:

§ 2109-A. Confidential licensing information

1. Confidential information. Information concerning the application for and granting of a license issued by the board under this chapter is confidential and may not be disclosed except as provided in this section.

2. Required disclosures. The board shall allow inspection of the following information concerning the application for and granting of a license issued by the board:

A. The name of the applicant or licensee;

B. The business address of the applicant or licensee or, if the business address is not available, the home address of the applicant or licensee after the board redacts any information that identifies the location as the home address of an individual with a disability;

C. The business telephone number of the applicant or licensee;

D. The educational and occupational background of the applicant or licensee;

E. The professional qualifications of the applicant or licensee;

F. Any orders and findings that result from formal disciplinary actions against the licensee; and

G. Any evidence that has been provided to the board to meet the requirements of any financial responsibility requirement for licensure.

3. Authorized disclosures. The board may allow inspection of information not designated in subsection 2 if the board finds a compelling public purpose and the rules of the board allow the inspection.

4. Disclosure to applicant or licensee. Unless otherwise provided by law, the board shall allow inspection of the information in subsection 1 by the applicant or licensee.

5. Sale of licensee names. If the board sells lists of licensees, the board shall omit from the lists the name of a licensee on written request of that licensee.

Sec. 3. 32 MRSA §2600-A, as enacted by PL 2001, c. 214, §1, is repealed.

Sec. 4. 32 MRSA §2600-D is enacted to read:

§ 2600-D. Confidential licensing information

1. Confidential information. Information concerning the application for and granting of a license issued by the board under this chapter is confidential and may not be disclosed except as provided in this section.

2. Required disclosures. The board shall allow inspection of the following information concerning the application for and granting of a license issued by the board:

- A. The name of the applicant or licensee;
- B. The business address of the applicant or licensee or, if the business address is not available, the home address of the applicant or licensee after the board redacts any information that identifies the location as the home address of an individual with a disability;
- C. The business telephone number of the applicant or licensee;
- D. The educational and occupational background of the applicant or licensee;
- E. The professional qualifications of the applicant or licensee;
- F. Any orders and findings that result from formal disciplinary actions against the licensee; and
- G. Any evidence that has been provided to the board to meet the requirements of any financial responsibility requirement for licensure.

3. Authorized disclosures. The board may allow inspection of information not designated in subsection 2 if the board finds a compelling public purpose and the rules of the board allow the inspection.

4. Disclosure to applicant or licensee. Unless otherwise provided by law, the board shall allow inspection of the information in subsection 1 by the applicant or licensee.

5. Sale of licensee names. If the board sells lists of licensees, the board shall omit from the lists the name of a licensee on written request of that licensee.

Sec. 5. 32 MRSA §3300-A, as enacted by PL 2001, c. 214, §2, is repealed.

Sec. 6. 32 MRSA §3300-G is enacted to read:

§ 3300-G. Confidential licensing information

1. Confidential information. Information concerning the application for and granting of a license issued by the board under this chapter is confidential and may not be disclosed except as provided in this section.

2. Required disclosures. The board shall allow inspection of the following information concerning the application for and granting of a license issued by the board:

- A. The name of the applicant or licensee;
- B. The business address of the applicant or licensee or, if the business address is not available, the home address of the applicant or licensee after the board redacts any information that identifies the location as the home address of an individual with a disability;
- C. The business telephone number of the applicant or licensee;
- D. The educational and occupational background of the applicant or licensee;
- E. The professional qualifications of the applicant or licensee;
- F. Any orders and findings that result from formal disciplinary actions against the licensee; and
- G. Any evidence that has been provided to the board to meet the requirements of any financial responsibility requirement for licensure.

3. Authorized disclosures. The board may allow inspection of information not designated in subsection 2 if the board finds a compelling public purpose and the rules of the board allow the inspection.

4. Disclosure to applicant or licensee. Unless otherwise provided by law, the board shall allow inspection of the information in subsection 1 by the applicant or licensee.

5. Sale of licensee names. If the board sells lists of licensees, the board shall omit from the lists the name of a licensee on written request of that licensee.

SUMMARY

This bill provides that information concerning the application for and granting of licenses issued by the State Board of Nursing, the Board of Osteopathic Licensure and the Board of Licensure in Medicine is confidential, except that each board is required to allow inspection of certain information.