

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

An Act Concerning the Reporting of Health Care Information to the Emergency Medical Services' Board

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

Sec. 1. 32 MRSA §88, sub-§2, ¶K is enacted to read:

K. The board may collect or receive health care information or records, including information or records that identify or permit identification of any patient, for the purpose of monitoring and improving the provision of emergency medical services within the State.

Sec. 2. 32 MRSA §91-B, sub-§1, ¶E is enacted to read:

E. Information provided to the board under section 88, subsection 2, paragraph K is confidential if the information identifies or permits the identification of a patient or a member of that patient's family.

Sec. 3. 32 MRSA §91-B, sub-§1, ¶F is enacted to read:

F. Information provided to the board under section 96 is confidential if the information identifies or permits the identification of a patient who received emergency medical treatment or a member of that patient's family.

Sec. 4. 32 MRSA §96 is enacted to read:

§ 96. Assessment, treatment and health outcomes

For the purpose of evaluating follow-up assessment and treatment by physicians and hospitals and determining health outcomes, the board may request and collect health care information or records, including information or records that identify or permit identification of any patient, concerning individuals who have received emergency medical treatment within the State.

1. Reporting by physicians and hospitals. Physicians and hospitals shall report health care information concerning individuals who have received emergency medical treatment as follows.

A. A hospital, upon request of the board pursuant to this section, shall report to the board information requested by the board, including information or records that identify or permit identification of any patient, concerning an individual under or formerly under that hospital's care who received emergency medical treatment. A hospital may satisfy the board's request for information by using a state-designated statewide health information exchange as described in Title 22, section 1711-C, subsection 18.

B. A physician, upon request of the board pursuant to this section, shall report to the board information requested by the board, including information or records that identify or permit identification of any patient, concerning an individual under or formerly under that physician's

care who received emergency medical treatment. A physician may satisfy the board's request for information by using a state-designated statewide health information exchange as described in Title 22, section 1711-C, subsection 18.

A physician or hospital that reports in good faith in accordance with this subsection is not liable for any civil damages for making the report.

SUMMARY

This bill amends the laws governing the reporting of health care information to the Department of Public Safety, Maine Emergency Medical Services, Emergency Medical Services' Board. The bill allows the board to collect or receive health care information or records, including information or records that identify a patient. The bill requires hospitals and physicians, upon request by the board for the purpose of evaluating follow-up assessment and treatment by physicians and hospitals and determining health outcomes, to provide health care information concerning individuals who have received emergency medical treatment.

The bill also makes the reportable health care information confidential. Personally identifiable trauma information is already confidential.