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HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1189, L.D. 1709, Bill, “An Act To Allow the Maine Developmental Services Oversight and Advisory Board Access to Investigations of Suspicious Deaths and Mortality Reviews Performed by the Department of Health and Human Services”

Amend the bill in section 1 in subsection 10 in paragraph F in the 2nd line (page 1, line 29 in L.D.) by inserting after the following: "record" the following: 'in the possession of the department'

Amend the bill in section 1 in subsection 10 in paragraph H in the last line (page 2, line 3 in L.D.) by inserting after the following: "estate." the following: 'This paragraph does not authorize the disclosure of a record generated by a hospital and provided to the department that is otherwise confidential, including, but not limited to, a sentinel event record, a root cause analysis and a professional competency review. As used in this paragraph, "sentinel event" has the same meaning as in Title 22, section 8752, subsection 4-A and "root cause analysis" has the same meaning as in Title 22, section 8752, subsection 3-B.'

Amend the bill by inserting after section 1 the following:

'Sec. 2. Department of Health and Human Services to implement within existing resources. The Department of Health and Human Services shall implement the requirements of this Act within existing resources.'

SUMMARY

This amendment is the majority report of the committee. It clarifies that records being accessed by the Maine Developmental Services Oversight and Advisory Board are records that are in the possession of the Department of Health and Human Services and do not include records generated by a hospital. The department is required to implement the requirements of this legislation within existing resources.

COMMITTEE AMENDMENT