

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND AND TWELVE

—  
H.P. 1337 - L.D. 1813

**An Act To Amend the Laws Governing Confidentiality of Health Care Information**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** prescribers and dispensers of scheduled drugs may be prohibited by health information privacy laws from informing law enforcement personnel about suspected drug diversion, which puts emergency health care workers at risk of violence; and

**Whereas,** emergency health care workers will remain at greater risk of violence unless the law governing disclosure of certain information to law enforcement personnel is clarified; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 22 MRSA §1711-C, sub-§6, ¶E,** as amended by PL 1999, c. 512, Pt. A, §5 and affected by §7 and c. 790, Pt. A, §§58 and 60, is further amended to read:

E. To federal, state or local governmental entities in order to protect the public health and welfare when reporting is required or authorized by law ~~or~~, to report a suspected crime against the health care practitioner or facility or to report information that the health care facility's officials or health care practitioner in good faith believes constitutes evidence of criminal conduct that occurred on the premises of the health care facility or health care practitioner;

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

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In House of Representatives, ..... 2012

Read twice and passed to be enacted.

..... Speaker

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In Senate, ..... 2012

Read twice and passed to be enacted.

..... President

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Approved ..... 2012

..... Governor