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Commissioner



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April 9, 2025

Senator Ingwersen, Chair
Representative Meyer, Chair
Members, Joint Standing Committee on Health and Human Services
100 State House Station
Augusta, ME 04333-0100

Re: LD 1316 – *An Act to Amend the Mandated Reporter Laws Regarding Medical Records, Additional Information and Immunity*

Senator Ingwersen, Representative Meyer and members of the Joint Standing Committee on Health and Human Services, thank you for the opportunity to provide information in opposition of LD 1316, *An Act to Amend the Mandated Reporter Laws Regarding Medical Records, Additional Information and Immunity*.

This bill creates new requirements for mandated reporters that may be difficult for them to fulfill and could result in decreased reporting. The bill also makes mandated reporters subject to investigation by the Department if they fail to comply with these new requirements.

An example illustrates how this might play out: mandated reporters who are in healthcare settings typically make notes in a patient's record when the provider makes a report of suspected abuse, neglect or exploitation. This bill will require the provider to add to that documentation if subsequent information comes to their attention that disputes or counters their original report. The amended record must also be shared with any third party that may have received the original documentation. If these steps are not taken, the Department must investigate the reporter's failure to take these steps.

The Department believes this places too high a burden on reporters and would discourage reporting. Furthermore, it would in some cases take the investigative focus off the alleged perpetrator and instead make the reporter subject to investigation, further reducing the incentive to report. The logistics of implementing these changes would be extensive for both reporters and the Department and would not do anything to further protect victims of abuse, neglect, or exploitation.

We would be happy to answer any questions and participate in the work session.

Sincerely,

A handwritten signature in cursive script, appearing to read "Paul Saucier".

Paul Saucier, Director
Office of Aging and Disability Services
Maine Department of Health and Human Services