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**Joint Standing Committee on Health and Human Services on  
LD 1316, An Act to Amend the Mandated Reporter Laws Regarding Medical  
Records, Additional Information and Immunity  
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Good morning, Senator Ingwersen, Representative Meyer, and distinguished members of the Joint Standing Committee on Health and Human Services. As you know, my name is Marianne Moore. I proudly represent Senate District 6, which includes all of Washington County as well as 16 Communities in Eastern Hancock County. I am here today to introduce LD 1316, “*An Act to Amend the Mandated Reporter Laws Regarding Medical Records, Additional Information and Immunity.*”

I brought this bill forward after hearing about the struggles one of my constituents has faced. My constituent’s son has severe mental illness. After she brought her son to the emergency room during an episode of psychosis, the physicians at the hospital did not take this mother’s concerns seriously and thought she was suffering from “Munchausen by Proxy Syndrome (MBPS)”. MBPS is a relatively rare form of child abuse that involves the exaggeration or fabrication of illnesses or symptoms by a primary caretaker. Their concerns were reported to Adult Protection Services and on his medical records.

The reality is that my constituent is a caring mother who knows her son better than anyone. And instead of misrepresenting her son’s condition, as the hospital stated, she was right on point. Her son was released from the hospital and, within two hours, was given a citation from the Brewer Police after he had traveled 1.5 miles along bridge guardrails, was almost hit by a car, and was found disassembling a rock wall. The court recognized the evidence of psychosis and dismissed the citation.

However, despite the overwhelming evidence that the report of suspected abuse was wrong, there is no way for the incorrect report to be rescinded or amended. Ever since this inaccurate report was made, the report has followed them around and my constituent has been unable to get her son the help he needs. She worries every day about his wellbeing and what could happen during his next relapse. She doesn’t want her son to become the next Robert Card. My constituent and her son are just two of the many victims of this inadequate law which does not require misinformation to be corrected when it is shown to be false.

Current mandated reporter laws require the reporting of suspected abuse and provide immunity to the reporter as long as the report is made in good faith. Unfortunately, the law falls short of protecting individuals suffering damage from what turns out to be false reports. It does not require that the misinformation, which can be extremely damaging, be corrected. This essentially leads to a presumption of guilt that follows a person around. The inability to correct the report in my constituent’s situation led to a devastating outcome for the patient, who lost his home, job, health,

and has possible long-term injuries, as well as contributed to serious fears and concerns for community.

LD 1316 aims to fix this problem. If passed, it will change the law so that if a mandated reporter reports suspected abuse, neglect, or exploitation in medical records, or similar reports, and the reporter discovers information that might dispute or counter the report, the reporter must add the countering information to the amended report and forward it to all parties that received the initial report.

Thank you for your time and consideration of this very important matter. I ask you to support LD 1316 and would be happy to answer any questions you might have at this time.