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LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 286, L.D. 411, Bill, “An Act To Amend the Health Care Practitioner Licensing, Disciplinary and Reporting Laws Regarding Alcohol and Drug Abuse”

Amend the bill in section 1 in §2504 in the first paragraph in the last 2 lines (page 1, lines 8 and 9 in L.D.) by striking out the following: "use of alcohol or drugs that may indicate a substance use disorder" and inserting the following: 'misuse of alcohol, drugs or other substances that may result in the member physician's performing services in a manner that endangers the health or safety of patients'

Amend the bill in section 2 in the first paragraph in the 6th and 7th lines (page 1, lines 17 and 18 in L.D.) by striking out the following: "use of alcohol or drugs that may indicate a substance use disorder" and inserting the following: 'misuse of alcohol, drugs or other substances that may result in the physician's performing services in a manner that endangers the health or safety of patients'

Amend the bill by striking out all of sections 3 to 8 and inserting the following:

'Sec. 3. 24 MRSA §2505, 2nd ¶, as amended by PL 1997, c. 107, §3, is further amended to read:

Except for specific protocols developed by a board pursuant to Title 32, section 1073, 2596-A or 3298, a physician, dentist or committee is not responsible for reporting misuse of alcohol ~~or~~ drugs or other substances or professional incompetence or malpractice as a result of physical or mental infirmity or by the misuse of alcohol ~~or~~ drugs or other substances discovered by the physician, dentist or committee as a result of participation or membership in a professional review committee or with respect to any information acquired concerning misuse of alcohol ~~or~~ drugs or other substances or professional incompetence or malpractice as a result of physical or mental infirmity or by the misuse of alcohol ~~or~~ drugs or other substances, as long as that information is reported to the professional review committee. Nothing in this section may prohibit an impaired physician or dentist from seeking alternative forms of treatment.

COMMITTEE AMENDMENT

