



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1496

H.P. 1029

House of Representatives, April 20, 2017

An Act To Clarify the Scope of the Maternal and Infant Death Review Panel

Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.
Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative SANDERSON of Chelsea.

Cosponsored by Representatives: SIROCKI of Scarborough, TURNER of Burlington.

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

2 **Sec. 1. 22 MRSA §261**, as amended by PL 2009, c. 531, §1, is further amended to
3 read:

4 **§261. Maternal, fetal and infant mortality review panel**

5 The department shall establish the maternal, fetal and infant ~~death~~ mortality review
6 panel in accordance with this section.

7 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
8 following terms have the following meanings.

9 A. "Center" means the Maine Center for Disease Control and Prevention.

10 B. "Deceased person" means a woman who died during pregnancy or within 42 days
11 of giving birth or a child who died within 1 year of birth.

12 C. "Director" means the director of the center.

13 C-1. "Family" means a woman who has experienced a fetal death or the parent or
14 parents or other authorized representative of a deceased person.

15 D. "Panel" means the maternal, fetal and infant ~~death~~ mortality review panel
16 established under this section.

17 E. "Panel coordinator" means an employee of the center who is appointed by the
18 director or a person designated by the panel coordinator. The panel coordinator must
19 be a licensed physician or registered nurse or other health care professional licensed
20 or registered in this State.

21 **2. Membership.** The panel consists of health care and social service providers,
22 public health officials, law enforcement officers and other persons with professional
23 expertise on maternal and infant health and mortality. The director shall appoint the
24 members of the panel, who serve at the pleasure of the director. The director shall
25 appoint an employee of the center to serve as panel coordinator.

26 **3. Contact with family.** The first contact pursuant to this section with the family
27 may not occur prior to 4 months after the death and must:

28 A. Be by letter from the State Health Officer on letterhead of the center; and

29 B. Include an invitation to participate in a review of the death of the deceased person
30 or the fetal death from a statewide organization dedicated to improving the health of
31 babies by preventing birth defects, premature birth and infant mortality.

32 **4. Duties and powers of panel coordinator.** The panel coordinator has the
33 following duties and powers.

34 A. The panel coordinator shall review the deaths of all women during pregnancy or
35 within 42 days of giving birth, the majority of cases in which a fetal death occurs
36 after 28 weeks of gestation and the majority of deaths of infants under 1 year of age,

1 with selection of cases of infant death based on the need to review particular causes
2 of death or the need to obtain a representative sample of all deaths.

3 A-1. The panel coordinator may have access to the death certificates of deceased
4 persons and to fetal death certificates of fetal deaths occurring after 28 weeks of
5 gestation.

6 ~~B. Prior to accessing medical records, the panel coordinator shall obtain permission~~
7 ~~in all cases for access to those records from the family.~~

8 B-1. The panel coordinator may have access to medical records for the purposes of
9 the review under paragraph A.

10 C. Prior to conducting a voluntary interview, the panel coordinator shall obtain
11 permission in all cases for the interview from the family.

12 D. The panel coordinator may conduct voluntary interviews with the family. The
13 purpose of the voluntary interview is limited to gathering information or data for the
14 purposes of the panel in summary or abstract form without family names or patient
15 identifiers. A person who conducts interviews under this paragraph must meet the
16 qualifications for panel coordinator and also have professional experience or training
17 in bereavement services. A person conducting an interview under this paragraph may
18 make a referral for bereavement counseling.

19 E. The panel coordinator shall prepare a summary or abstract of relevant information
20 regarding the case, as determined to be useful to the panel, but without the name or
21 identifier of the deceased person or the woman who experienced a fetal death, and
22 shall present the summary or abstract to the panel.

23 **5. Duties and powers of panel.** The panel has the following duties and powers.

24 A. The panel shall conduct comprehensive multidisciplinary reviews of data
25 presented by the panel coordinator.

26 B. The panel shall present an annual report to the department and to the joint
27 standing committee of the Legislature having jurisdiction over health and human
28 services matters. The report must identify factors contributing to maternal, fetal and
29 infant death in the State, determine the strengths and weaknesses of the current
30 maternal and infant health care delivery system and make recommendations to the
31 department to decrease the rate of maternal, fetal and infant death.

32 The panel shall offer a copy of the annual report to the person or persons that granted
33 permission to the panel coordinator for a voluntary interview under subsection 4,
34 paragraph C.

35 C. The panel shall share the results of its data reviews and recommendations with the
36 child death and serious injury review panel established pursuant to section 4004,
37 subsection 1, paragraph E. The maternal, fetal and infant ~~death~~ mortality review
38 panel may request and review data from the child death and serious injury review
39 panel, regardless of any prior work by the child death and serious injury review
40 panel.

