

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND NINETEEN

S.P. 395 - L.D. 1275

An Act To Support Access to Health Services for Homeless Youth in Maine**Be it enacted by the People of the State of Maine as follows:**

Sec. 1. 22 MRSA §1503, sub-§1, as enacted by PL 1995, c. 694, Pt. C, §8 and affected by Pt. E, §2, is repealed and the following enacted in its place:

1. Living separately; independent of parental support. Is living separately from parents or a legal guardian and is independent of parental support. A minor may prove that the minor meets the requirements of this subsection with documentation including, but not limited to:

A. A written statement affirming that the minor is living separately from parents or a legal guardian and is independent of parental support signed by:

(1) A director or designee of a governmental or nonprofit agency that receives public or private funding to provide services to homeless persons;

(2) A local education agency liaison for homeless children and youth designated pursuant to 42 United States Code, Section 11432(g)(1)(J)(ii) or a school social worker or counselor; or

(3) An attorney representing the minor in any legal matter;

B. A copy of a protection from abuse complaint or a temporary order or final order of protection against the minor's parent or legal guardian; or

C. Proof of filing a petition for emancipation pursuant to Title 15, section 3506-A;

Sec. 2. 22 MRSA §1503, as enacted by PL 1995, c. 694, Pt. C, §8 and affected by Pt. E, §2, is amended by adding at the end a new paragraph to read:

A health care practitioner who obtains documentation that meets the requirements of this section prior to providing medical, mental, dental or other health counseling or services to a minor pursuant to this section is immune from any civil or criminal liability based on the health care practitioner's determination to provide services, except that a

health care practitioner may be held liable for the health care practitioner's gross negligence or willful or wanton acts or omissions.