

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND AND ELEVEN

H.P. 484 - L.D. 654

**An Act To Amend the Occupational Disease Reporting Laws**

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

**Sec. 1. 22 MRSA §1493**, as enacted by PL 1985, c. 452, §1 and amended by PL 2003, c. 689, Pt. B, §6, is further amended to read:

**§1493. Duties of health care providers, health care facilities and medical laboratories**

All ~~physicians or hospitals~~ health care providers, health care facilities and medical laboratories shall report to the Department of Health and Human Services all persons diagnosed as having an occupational disease no later than 30 days from the date of diagnosis or from discharge from a hospital. The report ~~shall~~ must include any factor known to the physician ~~which~~ that is suspected of being a contributing factor to the disease, including, but not limited to, whether or not the person smokes and, if so, the frequency of smoking.

A ~~physician~~ health care provider, health care facility or medical laboratory, upon notification by the Department of Health and Human Services, shall report to the department any further information requested by the department concerning any person now or formerly under ~~his~~ its care, diagnosed as having or having had an occupational disease.

~~No physician or hospital~~ A health care provider, health care facility or medical laboratory complying with the reporting requirements of this section ~~may be~~ is not liable for any civil damages as a result of those acts.

**Sec. 2. 22 MRSA §1494**, as enacted by PL 1985, c. 452, §1, is repealed and the following enacted in its place:

**§1494. Confidentiality**

Unless otherwise authorized by section 42, subsection 5, the department may not release any information described in section 1493 regarding reporting of occupational diseases if that information identifies persons with occupational diseases directly or indirectly. The department may disclose information that relates to the site of

employment to the Department of Labor, Bureau of Labor Standards if the disclosure contains only the information necessary to advance the public health and does not directly identify an individual having an occupational disease.

All other information submitted pursuant to this chapter may be made available to the public.

---

In House of Representatives, ..... 2011

Read twice and passed to be enacted.

..... Speaker

---

In Senate, ..... 2011

Read twice and passed to be enacted.

..... President

---

Approved ..... 2011

..... Governor