

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND TWELVE

S.P. 534 - L.D. 1624

**An Act To Lessen the Regulatory Burden on Medical Laboratories by
Removing Outdated Requirements from the Maine Medical Laboratory Act**

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

Sec. 1. 22 MRSA §2016, first ¶, as amended by PL 1991, c. 528, Pt. J, §1 and affected by Pt. RRR and amended by c. 591, Pt. J, §1, is further amended to read:

Application must be made on a form prescribed by the department. Licenses must be issued to perform testing in one or more of the following categories or specialties: ~~Histocompatibility~~ Histocompatibility; microbiology, including subcategories bacteriology, mycology, parasitology, virology; immunology or serology, including subcategories syphilis and nonsyphilis; chemistry, including subcategories routine, clinical microscopy or urinalysis and other, including toxicology; hematology, including coagulation; immunohematology, including subcategories blood group and Rh typing, Rh titers, cross matching, antibody detection and identification; pathology, including subcategories tissue, oral, diagnostic cytology; and radiobioassay. All applications must be accompanied by a license application fee. The application ~~must be notarized and~~ must contain the following information:

Sec. 2. 22 MRSA §2031-A is enacted to read:

§2031-A. Itemized billing statements

A medical laboratory that performs services under this Act shall send an itemized billing statement to the patient.

Sec. 3. 22 MRSA §2032, as repealed and replaced by PL 1975, c. 218, is repealed and the following enacted in its place:

§2032. Specimens

The following persons may collect or process specimens: licensed health care professionals; designees of licensed health care professionals acting within their scope of practice; and qualified medical laboratory personnel who are authorized by the director of the medical laboratory.

Sec. 4. 22 MRSA §2033, as repealed and replaced by PL 1975, c. 218, is amended to read:

§2033. Rebates or fee splitting prohibited

The owner or director of a laboratory licensed under this Act, either personally or through an agent, ~~shall~~ may not practice in any manner ~~which~~ that offers or implies to offer rebates to persons submitting specimens or other fee splitting inducements, or participate in any fee splitting arrangement. This applies to contents of fee schedules, billing methods or personal solicitation. The contractual provision of laboratory services for a fixed fee independent of the number of specimens submitted for such services is declared to be a violation of this section. ~~A copy of the itemized statement shall be sent to the patient.~~

In House of Representatives, 2012

Read twice and passed to be enacted.

..... Speaker

In Senate, 2012

Read twice and passed to be enacted.

..... President

Approved 2012

..... Governor