

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Allow Medical Records To Contain an Option Regarding HIV Status Disclosure

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

Sec. 1. 5 MRSA §19203-D, sub-§1, ¶A, as reenacted by PL 1999, c. 512, Pt. B, §4 and affected by §§5 and 6, is amended to read:

A. When release has been authorized, the custodian of the medical record may release, upon request, the person's medical record, including any HIV infection status information contained in the medical record. Release of HIV infection status information pursuant to this paragraph is not a violation of any of the confidentiality provisions of this chapter. A general release form or check box on a form is sufficient to meet the requirements of this subsection.

Sec. 2. 5 MRSA §19203-D, sub-§1, ¶B, as reenacted by PL 1999, c. 512, Pt. B, §4 and affected by §§5 and 6, is amended to read:

B. When release has not been authorized, the custodian of the medical record may, upon request, release that portion of the medical record that does not contain the HIV infection status information. Except as otherwise provided in this section, HIV infection status information may be released only if the person has specifically authorized a separate release of that information. A general release form ~~is insufficient~~ or check box on a form is sufficient to meet the requirements of this subsection.

SUMMARY

This bill allows the use of a general release form or check box on a form for a patient to authorize the release of HIV infection status information.