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JUDICIARY

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STATE OF MAINE

SENATE

128TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT “ ” to S.P. 54, L.D. 135, Bill, “An Act To Require the Department of Health and Human Services To Disclose Information to the Personal Representative of the Estate of an Incapacitated or Dependent Adult Who Dies While under Public Guardianship or Public Conservatorship”

Amend the bill by striking out the title and substituting the following:

'An Act To Authorize the Department of Health and Human Services To Disclose Information to the Personal Representative of the Estate of an Incapacitated or Dependent Adult Who Dies While under Public Guardianship or Public Conservatorship'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 22 MRSA §3474, sub-§2, ¶I, as amended by PL 2007, c. 140, §2, is further amended to read:

I. A member of a panel appointed by the department or the Office of the Attorney General to review the death or serious injury of an incapacitated or dependent adult or a child; ~~and~~

Sec. 2. 22 MRSA §3474, sub-§2, ¶J, as enacted by PL 2007, c. 140, §3 and amended by PL 2011, c. 657, Pt. W, §5, is further amended to read:

J. The local animal control officer or the animal welfare program of the Department of Agriculture, Conservation and Forestry established pursuant to Title 7, section 3902 when there is a reasonable suspicion of animal cruelty, abuse or neglect. For purposes of this paragraph, "cruelty, abuse or neglect" has the same meaning as provided in Title 34-B, section 1901, subsection 1, paragraph B-; and

Sec. 3. 22 MRSA §3474, sub-§2, ¶K is enacted to read:

K. The personal representative of the estate of an incapacitated or dependent adult who dies while under public guardianship or public conservatorship.'

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SUMMARY

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The bill requires the Department of Health and Human Services to disclose information in its records under the Adult Protective Services Act to personal representatives of the estates of incapacitated or dependent adults who die while under public guardianship or public conservatorship.

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This amendment changes the title and replaces the bill to give the Department of Health and Human Services the option of disclosing information in its records under the Adult Protective Services Act to personal representatives of the estates of incapacitated or dependent adults who die while under public guardianship or public conservatorship.

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