



NOTICE REGARDING IMPLEMENTATION OF THE MAINE DEATH WITH DIGNITY ACT P.L. 2019, CHAPTER 271

Effective date: September 19, 2019

- The text of the new law may be found on the Maine legislature's web site:
<http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP0948&item=3&snum=129>.
- Our organization is collaborating with the Maine Hospital Association and Maine Medical Association to implement the new law in a responsible manner that respects the interests and values of our staff and patients. Our implementation process will be deliberative and will involve clinical, ethical, and legal evaluation of the law. This process will result in an organizational decision whether to offer the services authorized under the Act. We anticipate making this decision and announcing it _____. **[DRAFTING NOTE: Each organization will establish its own timeline for implementation. Options include: on a specific date; in the weeks ahead; by the end of the year; during the first quarter of 2020, for example.]**
- In accordance with the Act [22 M.R.S.A. §2140(22)(B)], the organization hereby notifies our clinical staff of our policy, effective immediately, prohibiting participation under the Act by employees or independent contractors on the property of the organization, until our implementation process is complete and a decision about participation under the Act is made **[DRAFTING NOTE: This may be sufficient only as a first step in meeting the policymaking process required by this provision of the statute (similar to the DHHS emergency rulemaking process) and each organization should proceed as quickly as possible to promulgate an appropriate policy to establish the prohibition permitted under the Act on either a temporary or permanent basis.]**
- The Maine Department of Health & Human Services, Maine Centers for Disease Control & Prevention expects to issue emergency administrative rules on clinical reporting required under the Act and we will be considering the emergency rules and participating in the regular rulemaking proceeding as part of our implementation process.
- Our organization recognizes that all patients have a right to information regarding all treatment options reasonably available for the care of the patient, including, but not limited to, information in response to specific questions about the foreseeable risks and benefits of medication, without a physician's withholding requested information regardless of the purpose of the questions or the nature of the information. **[DRAFTING NOTE: This language comes directly from the statute at 22 M.R.S.A. §2140(3), but organizations may choose to elaborate.]**
- Thank you for your patience as we balance a wide variety of interests in the implementation of the Act. If you have further questions, please contact _____. **[DRAFTING NOTE: This Notice is drafted primarily for an organization's staff. We will develop a version in language more suitable for patients as soon as possible.]**