

**§8704. Powers and duties of the board**

The board has the following powers and duties. [PL 1995, c. 653, Pt. A, §2 (NEW); PL 1995, c. 653, Pt. A, §7 (AFF).]

**1. Uniform reporting systems.** The board shall establish uniform reporting systems.

A. The board shall develop and implement policies and procedures for the collection, processing, storage and analysis of clinical, financial, quality and provider data and prescription drug price data in accordance with this subsection for the following purposes:

- (1) To use, build and improve upon and coordinate existing data sources and measurement efforts through the integration of data systems and standardization of concepts;
- (2) To coordinate the development of a linked public and private sector information system;
- (3) To emphasize data that is useful, relevant and not duplicative of existing data;
- (4) To minimize the burden on those providing data; and
- (5) To preserve the reliability, accuracy and integrity of collected data while ensuring that the data is available in the public domain. [PL 2021, c. 423, Pt. B, §2 (AMD).]

B. Information and data required to be filed pursuant to this chapter must be filed annually or more frequently as specified by the organization. The organization shall establish a schedule for compliance with the required uniform reporting systems. [PL 1995, c. 653, Pt. A, §2 (NEW); PL 1995, c. 653, Pt. A, §7 (AFF).]

C. The organization may modify the uniform reporting systems for clinical, financial, quality and restructuring data to allow for differences in the scope or type of services and in financial structure among health care facilities, providers or payors subject to this chapter. [PL 2003, c. 469, Pt. C, §24 (AMD).]

D. The board may provide analysis of data upon request. [PL 1995, c. 653, Pt. A, §2 (NEW); PL 1995, c. 653, Pt. A, §7 (AFF).]

E. The board shall exempt from reporting by a provider data regarding a person who informs the provider of the person's objection, or the objection of a parent of a minor, to inclusion in data collection based on a sincerely held religious belief. [PL 1999, c. 353, §7 (NEW).]

[PL 2021, c. 423, Pt. B, §2 (AMD).]

**2. Contracts for data collection; processing.** The board may contract with one or more qualified, nongovernmental, independent 3rd parties for services necessary to carry out the data collection, processing and storage activities required under this chapter. For purposes of this subsection, a group or organization affiliated with the University of Maine System is not considered a governmental entity. Unless permission is specifically granted by the board, a 3rd party hired by the organization may not release, publish or otherwise use any information to which the 3rd party has access under its contract and shall otherwise comply with the requirements of this chapter. [PL 2001, c. 457, §8 (AMD).]

**3. Contracts generally.** The board may enter into all other contracts necessary or proper to carry out the powers and duties of this chapter, including contracts allowing organization staff to provide technical assistance to other public or private entities, with the proceeds used to offset the operational costs of the organization. [PL 2007, c. 136, §3 (AMD).]

**4. Rulemaking.** The board shall adopt rules necessary for the proper administration and enforcement of the requirements of this chapter. All rules must be adopted in accordance with Title 5,

chapter 375 and unless otherwise provided are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2011, c. 494, §7 (AMD).]

**5. Public hearings.** The board may conduct any public hearings determined necessary to carry out its responsibilities.

[PL 1995, c. 653, Pt. A, §2 (NEW); PL 1995, c. 653, Pt. A, §7 (AFF).]

**6. Staff.** The board shall appoint staff as needed to carry out the duties and responsibilities of the board under this chapter. The appointment and compensation of the staff are subject to Civil Service Law.

[PL 1995, c. 653, Pt. A, §2 (NEW); PL 1995, c. 653, Pt. A, §7 (AFF).]

**7. Annual report.** The board shall prepare and submit an annual report on the operation of the organization, including any activity contracted for by the organization, with resulting net earnings, as well as on collaborative activities with other health data collection and management organizations and stakeholder groups on their efforts to improve consumer access to health care quality and price information and price transparency initiatives, to the Governor and the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint standing committee of the Legislature having jurisdiction over insurance and financial services matters no later than February 1st of each year. The report must include an annual accounting of all revenue received and expenditures incurred in the previous year and all revenue and expenditures planned for the next year. The report must include a list of persons or entities that requested data from the organization in the preceding year with a brief summary of the stated purpose of the request.

[PL 2015, c. 494, Pt. A, §26 (AMD).]

**8. Grants.** The board may solicit, receive and accept grants, funds or anything of value from any public or private organization and receive and accept contributions of money, property, labor or any other thing of value from any legitimate source, except that the board may not accept grants from any entity that might have a vested interest in the decisions of the board.

[PL 1995, c. 653, Pt. A, §2 (NEW); PL 1995, c. 653, Pt. A, §7 (AFF).]

**9. Cooperation; advice.** The board may cooperate with and advise the department and any other person or entity on behavioral risk factor surveys, work site health and safety, and health work force research.

[PL 1995, c. 653, Pt. A, §2 (NEW); PL 1995, c. 653, Pt. A, §7 (AFF).]

**10. Quality improvement foundations.**

[PL 2003, c. 469, Pt. C, §26 (RP).]

**11. Other powers.** The board may exercise all powers reasonably necessary to carry out the powers expressly granted and responsibilities expressly imposed by this chapter.

[PL 1995, c. 653, Pt. A, §2 (NEW); PL 1995, c. 653, Pt. A, §7 (AFF).]

**SECTION HISTORY**

PL 1995, c. 653, §A2 (NEW). PL 1995, c. 653, §A7 (AFF). PL 1997, c. 525, §2 (AMD). PL 1999, c. 127, §B8 (AMD). PL 1999, c. 353, §§6-8 (AMD). PL 2001, c. 457, §§7-10 (AMD). PL 2003, c. 469, §§C23-26 (AMD). PL 2005, c. 253, §5 (AMD). PL 2005, c. 565, §5 (AMD). PL 2007, c. 136, §3 (AMD). PL 2007, c. 460, §§2, 3 (AMD). PL 2011, c. 494, §§7, 8 (AMD). PL 2013, c. 560, §3 (AMD). PL 2015, c. 494, Pt. A, §26 (AMD). PL 2019, c. 470, §2 (AMD). PL 2021, c. 423, Pt. B, §2 (AMD).

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