

MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

HOUSE NO. 148

House of Representatives, Feb. 13, 1919.

Referred to Committee on Public Health and 500 copies ordered printed. Sent up from concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Williams of Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND NINETEEN

AN ACT to Amend Sections Forty, Forty-one, Forty-two, Forty-three, Forty-seven and Forty-eight of Chapter Sixteen of the Revised Statutes Relating to Medical Inspection of School Children.

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

Sections forty, forty-one, forty-two, forty-three, forty-two seven and forty-eight of chapter sixteen of the revised statutes are hereby amended by striking out all of said sections 4 and substituting therefor the following so that said sections when amended shall read as follows:

'Sect. 40. It shall be the duty of all towns or cities in 2 the state having a school enrollment of more than one thou-

3 sand pupils according to the last return of the superintend-
4 ent of schools to install medical inspection of school chil-
5 dren and to provide school nurses on or before the close
6 of the year nineteen hundred twenty; of all towns and cities
7 in the state with a school enrollment of six hundred or
8 more before the year nineteen hundred twenty-two; of all
9 towns in the state having a school enrollment of three hun-
10 dred pupils or more before the year nineteen hundred twen-
11 ty-four. The superintending school committee in the sev-
12 eral towns shall appoint medical and dental inspectors and
13 school nurses and shall assign one medical or one dental
14 inspector to not to exceed two thousand pupils, and one
15 nurse to not to exceed four thousand pupils. Such medical
16 and dental inspectors and school nurses shall be provided
17 by the superintending school committee with all of the
18 proper facilities for the performance of their duties. In
19 the selection of medical and dental examiners the superin-
20 tending school committee shall select only properly quali-
21 fied persons who are graduates of standard medical or den-
22 tal colleges in good standing, but preference shall be given
23 those who have had special training for school work, or
24 who have had previous teaching experience.

‘Sect. 41. 1. Each school physician or dentist shall make
2 an examination and diagnosis of all children referred to
3 him, and such further examination of teachers, janitors and
4 school buildings as in his opinion the protection of the
5 health of the pupils and the general welfare of the com-

6 munity may require. Medical and dental examiners and
7 school nurses shall be under the direct supervision of the
8 superintending school committee, except in such towns and
9 cities as provide a full time expert health officer, in which
10 case medical and dental examiners shall be under the gen-
11 eral supervision of such officer. It shall be the duty of
12 medical and dental inspectors to enter upon uniform blanks
13 prescribed by the state superintendent of schools the physi-
14 cal condition of each child examined, with recommendations
15 for corrective treatment. The superintending school com-
16 mittee shall cause such reports of examination to be ar-
17 ranged in convenient form for preservation, and the ex-
18 aminer shall refer each child, when treatment is necessary,
19 to the regular family physician or dentist, if there be such,
20 otherwise the examining school physician or school dentist
21 shall perform the treatment and render a bill for such pro-
22 fessional services to the parent or legal guardian. In case
23 said parent or guardian is unable to pay the necessary ex-
24 penses, and will make affidavit to such effect, the same
25 shall be paid by the town or city. In case the parent or
26 guardian neglects to make provision for proper treatment
27 within a reasonable time, which in no case shall exceed
28 sixty days, the school physician shall perform the services
29 or refer the case to a competent specialist.

‘II. Nothing in this section shall be construed to em-
2 power or authorize the superintending school committee,
3 or the public health officer, or its representatives to inter-

4 fere in any manner with the right of a parent or guardian
5 to select a physician or mode of treatment of his choice,
6 provided the general provisions of this section are complied
7 with. The same shall apply to conscientious objectors to
8 medical treatment but it shall be necessary in such cases
9 for the parents or legal guardians of the children concerned
10 to file such affirmation as to the grounds of objection as
11 the superintending school committee may require.

'Sect. 42. It shall be the duty of the school nurse, under
2 the direction of the superintendent of schools, to perform
3 such professional services as may be assigned to her from
4 time to time. She shall be a registered nurse in good stand-
5 ing. In the selection of nurses preference shall be given to
6 those who have had special training along such educational
7 lines as may be necessary for rendering the highest service,
8 or to those who have had previous experience as teachers.

'Sect. 43. The superintending school committee shall cause
2 to be referred to the school physician for examination and
3 diagnosis every child returning to school without certificate
4 from the board of health, or the public health officer, or
5 the family physician, after absence on account of illness,
6 or whenever in the judgment of the teacher or the super-
7 intendent of schools the circumstances of the absence were
8 such as to make a certificate advisable in order to protect
9 the welfare of the children of the school, and every child
10 in the schools under its jurisdiction who shows signs of
11 being in ill health or suffering from a contagious or infec-

12 tious disease, unless he is excused from the school by the
13 teacher, except that in case of schools in remote or sparsely
14 settled sections the school committee shall make such ar-
15 rangements as in their judgment will carry out the pro-
16 visions of this section.

'Sect. 47. It shall be the duty of all towns in which the
2 provisions of the seven preceding sections apply to make
3 provision for the payment of all necessary expenses in-
4 curred. Whenever at the close of the school year the super-
5 intendent of schools of any town or city shall certify under
6 oath to the state superintendent of public schools, in such
7 detailed form as the state superintendent may require, the
8 amount expended for the services of medical and dental
9 examiners and school nurses, and other information rela-
10 tive to the number of children examined and treated, state
11 aid shall be paid by the treasurer of state annually in De-
12 cember as reimbursement to the extent of one-half the
13 expenditure for the services of such examiners and nurses ;
14 provided that the amount so paid shall not exceed six hun-
15 dred dollars for each one thousand pupils ; and provided
16 further, that the expenditure of any town for these pur-
17 poses shall be from funds other than those received from
18 the state or required by law to be raised for the support
19 of common schools.

'Sect. 48. Any town may make provision for school nurses
2 and for medical and dental inspection of school children at
3 any time prior to the dates fixed in section forty and may

4 come within the provisions of section forty-seven relative
5 to reimbursement for expenses incurred.'