

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-81)
110TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 273, L.D. 319, Bill,
"AN ACT Providing for Pupil Screening for Scoliosis and
Related Spinal Abnormalities."

Amend the Bill in that part designated "§1135-A" in
subsection 1 in the 3rd line (same in L.D.) by striking out
the underlined word "effect" and inserting in its place the
underlined word 'affect'

Further amend the Bill in that part designated "§1135-A"
in subsection 1 by striking out all of the last underlined
sentence and inserting in its place the following:
'The public schools shall supervise the screening and notify
parents or guardians of postural defects which should be
investigated further by qualified personnel. The Department
of Human Services shall provide consultation, technical assistance
and training to the schools or their agents.'

Further amend the Bill in that part designated "§1135-A"
by striking out all of subsection 2 and inserting in its place
the following:

'2. Screening program; rules and regulations. A screening
program shall be instituted according to the following
provisions.

A. The school committee or directors of school administrative
units shall require that children in the public schools be
screened to determine if any child has a postural defect.
The screening shall be performed by personnel who are
approved by the Commissioner of Human Services for this

purpose. Screening for postural defects shall be performed at least once annually in grades 5 to 8.

B. The Commissioner of Human Services shall, after consultation with the Commissioner of Educational and Cultural Services and the Bureau of Health, —————>
<————— promulgate rules and regulations in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, for the screening test and rules and regulations shall furnish the/ to the administrative officers of the school administrative units. These rules and regulations shall include the frequency of the tests, the manner in which the schools or their agents conduct the tests, the qualifications of personnel conducting the screening, the method by which prior notice of the screening or the notice of any defect or possible defect detected shall be sent to the parent or guardian of the child, and that the notation of the screening and any follow-up activity shall be kept with the child's school health records.'

Further amend the Bill in that part designated "§1135-A." in subsection 4 in the first line (same in L.D.) by striking out the underlined word "commissioner" and inserting in its place the underlined words "Commissioner of Human Services"

Statement of Fact
clarifies

This amendment / the duties of the respective Commissioners of Human Services and Educational and Cultural Services.

The amendment corrects a printing error in the bill.

The schools are responsible for supervising screening, but are not responsible for conducting the screening programs themselves unless they choose to do so. If schools choose not to conduct a screening program, they may designate agents to do it. The Department of Human Services must consult with and provide assistance and training to schools or their agents.

Section 1135-A, subsection 2, has been rewritten as 2 paragraphs. The qualifications for screening personnel to meet the commissioner's approval will be defined in the rules and regulations. The health records will contain information on the screening. The screening will now end in grade 8, rather than grade 9.

Reported by the Majority of the Committee on Health and Institutional Services.
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