

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 319

H. P. 273

House of Representatives, January 20, 1981

Referred to the Committee on Health and Institutional Services. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Prescott of Hampden.

Cosponsors: Representative Aloupis of Bangor, Senator Gill of Cumberland and Senator Trotzky of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT Providing for Pupil Screening for Scoliosis and Related Spinal Abnormalities.

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

20 MRSA § 1135-A is enacted to read:

§ 1135-A. Screening for scoliosis and related spinal abnormalities

1. Intent. The screening program for scoliosis and related spinal abnormalities is intended to alert parents or guardians to potential spinal problems which could effect the physical development of their child. The public schools will do the screening and notify parents or guardians of postural defects which should be investigated further by medical personnel.

2. Screening program; rules and regulations. The school committee or school directors of administrative units shall require that children in the public schools be screened to determine if any child has a postural defect. The commissioner shall, after consultation with the Bureau of Health, Department of Human Services, promulgate rules and regulations in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, for the screening test, and shall furnish them to the administrators of the school administrative units. These rules and regulations shall include the frequency and manner of conducting the

tests, as well as 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. Screening for postural defects shall be administered at least once annually in grades 5 through 9. The rules and regulations shall require that a notation of the screening, and any follow-up activity, be kept with the child's school records. The screening shall be performed by physicians, school nurses, physical therapists or other personnel who are approved by the commissioner for this purpose.

3. **Exceptions.** This section shall not apply to any child whose parent or guardian demonstrates by a written statement his religious, moral, philosophical or other personal objection.

4. **Effective date.** The commissioner shall promulgate the directions for implementation of this section no later than 30 days after the effective date of this section. School committees or school directors of administrative units shall have postural screening programs in effect by the start of the school year 1984-85.

STATEMENT OF FACT

Scoliosis, curvature of the spine, and related spinal abnormalities can be detected early through an inexpensive screening technique; screening is important because spinal curvatures frequently develop without pain, and may progress so rapidly during an adolescent's growth spurt that without early diagnosis, a costly surgical fusion of the spine may be the only treatment. However, early detection permits the successful use of brace treatment in minimizing deformity. An undetected and untreated spinal abnormality may lead to lung or heart problems and permanent spinal deformity.

School screening programs must start by school year 1984-85, but schools will be able to start development of their programs after the commissioner promulgates rules and regulations.