

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1474

H. P. 1250

House of Representatives, March 25, 1981

Referred to the Committee on Education. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Murphy of Kennebunk.

Cosponsor: Representative Rolde of York and Senator Dutremble of York.

STATE OF MAINE

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

AN ACT Concerning the Liability of Teachers and School Administrators Who Administer Medication to Children in Emergency Situations.

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

20 MRSA § 102, sub-§ 18, as enacted by PL 1977, c. 497, § 1, is amended by adding at the end a new sentence to read:

When a teacher or administrator administers medication in compliance with this section, he is not liable for civil damage as a result of the administration except for an act of omission amounting to gross negligence or willful and wanton misconduct.

STATEMENT OF FACT

This bill limits the liability of teachers and administrators when they are administering medication in emergency situations such as the treatment of bee stings on an allergic child.