

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 642

H.P. 502

House of Representatives, February 8, 2001

An Act Concerning the Administration of Medications in County Jails.

Reference to the Committee on Criminal Justice suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative WHEELER of Bridgewater.
Cosponsored by Senator DAVIS of Piscataquis and
Representatives: BELANGER of Caribou, BUCK of Yarmouth, BUNKER of Kossuth
Township, COLLINS of Wells, JONES of Greenville, MURPHY of Berwick, SHERMAN of
Hodgdon, WHEELER of Eliot.

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

2

Sec. 1. 30-A MRSA §1559, sub-§§1 and 2, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, are further amended to read:

4

6

1. Administration of medication by sheriff or deputy. The sheriff of any county may administer to any prisoner in custody any oral or topical medication as prescribed by a licensed physician, nurse practitioner or dentist and approved by the facility health care provider or, if requested by a prisoner, any nonprescription medication in accordance with the directions on its container. The sheriff may delegate this authority to administer medication to the ~~deputy who is in charge of the county jail or to the master or keeper of the county jail administrator~~ or the jail administrator's designee or the facility health care provider.

8

10

12

14

16

18

2. Limitations on administration of medication. The sheriff or the sheriff's delegate may not administer any prescription or nonprescription medication to any prisoner who has been incarcerated in the county jail for less than 24 hours, unless the sheriff or the delegate has consulted with and received permission to administer that medication from a licensed physician, nurse practitioner or dentist or the facility health care provider.

20

22

24

26

28

SUMMARY

30

Current law allows the sheriff of a county to administer to a prisoner in that county's jail medication that has been prescribed by a physician or dentist.

32

34

This bill also allows the administration of medications that have been prescribed by a nurse practitioner and approved by the jail's health care provider. In the case of a prisoner who has been incarcerated for less than 24 hours, permission to administer medication may be given by a physician, nurse practitioner or dentist or the facility health care provider.

36

38