

# MAINE STATE LEGISLATURE

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R 4 S

L.D. 758

DATE: 5/21/01

(Filing No. H-541)

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
120TH LEGISLATURE  
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to H.P. 603, L.D. 758, Bill, "An Act to Require Certain Employers to Provide Certification for Employees Who Dispense Medications"

Amend the bill in section 1 by striking out all of subsection 5 and inserting in its place the following:

'5. Medication. The commissioner shall provide for the administration of medication within schools as follows.

A. The commissioner shall adopt or amend rules for the administration of medication in public or approved private schools, including the requirement that only a licensed physician, physician's assistant, nurse, nurse practitioner or medical technician or an unlicensed person trained and certified by the department to administer medication may administer medication. The commissioner also shall adopt rules for the training and certification of an unlicensed personnel person to administer medication comply with this paragraph. Rules adopted pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subchapter II-A.

B. Any public or approved private school shall have a written local policy and procedure for administering medication. The written local policy must include the requirement that all only a licensed physician, physician's assistant, nurse, nurse practitioner or medical technician or an unlicensed person trained and certified by the department to administer medication may administer medication and that an unlicensed personnel person who administer administers medication must receive training and certification from the department before receiving authorization to do so. Compliance with the provisions of this subsection is a requirement for basic school approval pursuant to sections 2902 and 4502.'

2 Further amend the bill by striking out all of section 2.

4 Further amend the bill by relettering or renumbering any  
6 nonconsecutive Part letter or section number to read  
consecutively.

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### SUMMARY

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12 This amendment clarifies that an unlicensed person may  
administer medication if that person receives training and  
certification from the Department of Education.

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16 This amendment removes language from the bill that was  
erroneously left intact by Committee Amendment "A" regarding the  
administration of medication to prisoners, thus making the bill  
18 applicable only to the administration of medication in schools.

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22 SPONSORED BY: Richardson  
(Representative RICHARDSON)

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TOWN: Brunswick

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