

MAINE STATE LEGISLATURE

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2008

L.D. 177

DATE: 2-25-04

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EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
SECOND SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 136, L.D. 177, Bill, "An Act to Ensure that Emergency Medical Help is Available to All School Children and Personnel"

Amend the bill by striking out the title and substituting the following:

'Resolve, To Ensure That Emergency Medical Help Is Available to All School Children'

Further amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

Preamble. Whereas, the Legislature recognizes that the health and safety of students in our schools is a preeminent concern of school officials and educational personnel across the State; and

Whereas, having a medical emergency response plan in place to effectively respond to inevitable medical emergencies resulting from sudden cardiac events is both prudent and necessary for our schools; and

Whereas, the Cardiopulmonary Resuscitation and Automated External Defibrillators for Maine Schools Workgroup convened by the Department of Education has acknowledged the important

COMMITTEE AMENDMENT

2023

COMMITTEE AMENDMENT "A" to H.P. 136, L.D. 177

2 progress that many of Maine's school administrative units have
3 made in establishing emergency response teams comprised of school
4 personnel who hold valid certifications in cardiopulmonary
5 resuscitation and whose roles include providing an immediate
6 response to a medical emergency in order to stabilize the medical
7 emergency until emergency medical services arrives at the scene
8 of the emergency; and

9
10 **Whereas,** a survey of state school nurse consultants
11 regarding their states' requirements for CPR-certified personnel
12 in schools found that a number of states specify that certain
13 school personnel, including school health staff, athletic coaches
14 and bus drivers, be certified in CPR and further discovered that
15 several states specify a formula for the number of school
16 personnel to be certified on a per student or per building basis
17 in order to increase the number of people able to respond to a
18 medical emergency resulting from a sudden cardiac event; and

19
20 **Whereas,** the public has a justifiable and legitimate
21 interest in ensuring that every student has adequate access
22 during the school day to school personnel who are certified in
23 cardiopulmonary resuscitation and who can serve as first
24 responders in medical emergencies resulting from sudden cardiac
25 events; now, therefore, be it

26 **Sec. 1. Survey. Resolved:** That the Department of Education,
27 working together with the school nurse consultant under the Maine
28 Revised Statutes, Title 22, section 1971, the School Health
29 Advisory Committee and other appropriate organizations, shall
30 review the recommendations of the Cardiopulmonary Resuscitation
31 and Automated External Defibrillators for Maine Schools Workgroup
32 and shall design a survey of school administrative units and
33 private schools enrolling more than 60% of their students at
34 public expense in the State regarding the extent to which these
35 school administrative units and private schools have medical
36 emergency response plans in place and have developed emergency
37 response teams comprised of school personnel who hold valid
38 certifications in cardiopulmonary resuscitation and whose roles
39 include providing an immediate response to a medical emergency,
40 including a medical emergency resulting from a sudden cardiac
41 event.

42
43 In reviewing the recommendations of the Cardiopulmonary
44 Resuscitation and Automated External Defibrillators for Maine
45 Schools Workgroup prior to designing the survey of school
46 administrative units and private schools in accordance with this
47 section, the department shall also review the most recent
48 guidance provided by the American Heart Association and the
49 National Association of School Nurses regarding emergency
50 preparedness planning in kindergarten through grade 12 public
51 schools.

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2 The survey developed by the department must assess the following:

4 1. As of the end of the 2003-2004 school year, the number
6 of school administrative units and private schools enrolling more
8 than 60% of their students at public expense in the State that
10 have written local policies and procedures for ensuring that
12 every student has adequate access during the school day to school
14 personnel that are certified in cardiopulmonary resuscitation;

16 2. As of the end of the 2003-2004 school year, the number
18 of school administrative units and private schools enrolling more
20 than 60% of their students at public expense in the State whose
22 adopted local policies include the following:

24 A. Guidelines regarding the appropriate number of school
26 personnel at each campus of the school administrative unit
28 or the private school that are certified in cardiopulmonary
30 resuscitation;

32 B. Requirements that school personnel that are certified in
34 cardiopulmonary resuscitation receive training from a
36 cardiopulmonary resuscitation training program approved by
38 the Department of Public Safety, Bureau of Emergency Medical
40 Services and taught according to current emergency cardiac
42 care standards;

44 C. Requirements that school personnel that are certified in
46 cardiopulmonary resuscitation be available at
48 school-sponsored athletic events and other extracurricular
50 events, including field trips requiring transportation on a
school bus, held after normal school hours;

52 D. Requirements that an emergency response team be
54 established for each school campus in the school
56 administrative unit or for the private school, including a
58 description of the role of each emergency response team in
60 providing an immediate response to medical emergencies be
described; and

62 E. Requirements that the school administrative unit or the
64 private school acquire an automated external defibrillator
66 and that any related standards for the implementation of
68 such requirements be related to compliance with state laws,
70 training policies and procedures for the use of this
equipment;

72 3. The need of CPR training for school personnel and, if a
74 need for training was identified, the plan developed to address
76 the necessary training; and

R.O.S.

4. The cost to develop the local policies and to implement the policies on an annual basis; and be it further

Sec. 2. Report. Resolved: That the Department of Education shall submit a report, including findings and recommended legislation, to the joint standing committee of the Legislature having jurisdiction over education matters during the First Regular Session of the 122nd Legislature by November 3, 2004. The joint standing committee of the Legislature having jurisdiction over education matters has the authority to introduce a bill based on the recommendations of the Department of Education report during the First Regular Session of the 122nd Legislature.'

SUMMARY

This amendment strikes and replaces the bill and changes it to a resolve. The amendment directs the Department of Education, working together with the school nurse consultant, the School Health Advisory Committee and other appropriate organizations, to review the recommendations of the Cardiopulmonary Resuscitation and Automated External Defibrillators for Maine Schools Workgroup and to design a survey of school administrative units and private schools enrolling more than 60% of their students at public expense in the State regarding the extent to which schools have medical emergency response plans in place and have developed emergency response teams comprised of school personnel who hold valid certification in cardiopulmonary resuscitation and whose roles include providing an immediate response to a medical emergency, including a medical emergency resulting from sudden cardiac events.

The amendment also proposes that the Department of Education submit a report, including findings and recommended legislation, by November 3, 2004 to the joint standing committee of the Legislature having jurisdiction over education matters during the First Regular Session of the 122nd Legislature. The amendment further proposes that the joint standing committee of the Legislature having jurisdiction over education matters has the authority to introduce a bill based on the recommendations of the Department of Education report during the First Regular Session of the 122nd Legislature.

FISCAL NOTE REQUIRED
(See attached)

**121st Maine Legislature
Office of Fiscal and Program Review**

LD 177

**An Act to Ensure that Emergency Medical Help is Available to All
School Children and Personnel**

LR 0240(02)

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes



Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

The additional costs to the Department of Education to work with other organizations to develop a survey and submit the required report can be absorbed utilizing existing budgeted resources.