

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 767

S.P. 262

In Senate, February 18, 2003

An Act To Reduce the Health Risks Associated with Latex Gloves

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator PENDLETON of Cumberland.
Cosponsored by Representative DUPLESSIE of Westbrook and
Senators: DAMON of Hancock, KNEELAND of Aroostook, STRIMLING of Cumberland,
Representatives: ANDREWS of York, FAIRCLOTH of Bangor, FISCHER of Presque Isle,
LAVERRIERE-BOUCHER of Biddeford, TWOMEY of Biddeford.

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

4 **Sec. 1. 22 MRSA §1561-A is enacted to read:**

6 **§1561-A. Latex gloves prohibited**

8 **1. Prohibition; sale or use.** Nonsterile latex gloves may not be sold, offered for sale or used in this State. The sales and use of sterile latex gloves are subject to subsections 2 and 3.

12 **2. Sterile latex use.** Low-protein, nonpowder sterile latex gloves may be used in this State during surgical procedures only and only if:

16 **A.** The benefits of using those gloves outweigh the risks of using them; and

18 **B.** The patient, or a person authorized by law to give consent for the patient, consents to the use of those gloves.

22 **3. Sales of sterile latex gloves.** Sales of low-protein, nonpowder sterile latex gloves may be lawfully made only to health care facilities licensed under this Title, or their agents, or to licensed health care professionals who perform surgical procedures.

28 **4. Rulemaking.** The department shall adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

34 **SUMMARY**

36 This bill prohibits the sale and use of nonsterile latex
38 gloves. The bill authorizes the sale of low-protein, nonpowder
40 sterile latex gloves to licensed health facilities and medical
42 personnel solely for use in surgical procedures and only if the
benefits outweigh the risks and the patient, or person who may
make medical decisions for the patient, consents.