

# 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)



# 121st MAINE LEGISLATURE

## SECOND REGULAR SESSION-2004

---

Legislative Document

No. 1768

H.P. 1290

House of Representatives, December 22, 2003

### **An Act To Authorize Certain School Children To Carry Asthma Inhalers on Their Persons**

---

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 17, 2003. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative BARSTOW of Gorham.  
Cosponsored by Senator DOUGLASS of Androscoggin and  
Representatives: DAVIS of Falmouth, EARLE of Damariscotta, FINCH of Fairfield,  
McLAUGHLIN of Cape Elizabeth, PATRICK of Rumford, SMITH of Monmouth.

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

4 **Sec. 1. 20-A MRSA §254, sub-§5, ¶C** is enacted to read:

6 C. A public or approved private school shall have a written  
8 local policy authorizing students to possess and  
10 self-administer an asthma inhaler.

12 (1) The written local policy must include the  
14 requirement that a student who self-administers an  
16 asthma inhaler receive written approval of the  
18 student's physician and, if the student is a minor, the  
20 written approval of the student's parent or guardian  
22 before receiving authorization to do so.

24 (2) The written local policy must include the  
26 requirement that the student's parent or guardian  
28 submit written verification to the school from the  
30 physician confirming that the student has the knowledge  
32 and the skills to safely possess and use an asthma  
34 inhaler in school.

#### SUMMARY

26 This bill requires any public or approved private school to  
28 adopt a written local policy and procedure allowing students to  
30 possess and self-administer asthma inhalers in schools. The bill  
32 requires that schools receive written approval from the student's  
34 parent or guardian and the student's physician before authorizing  
the student to self-administer an asthma inhaler. The bill also  
requires the student's parent or guardian to provide written  
verification from the physician confirming that the student has  
the knowledge and the skills to safely possess and use an asthma  
inhaler in a school.