

MAINE STATE LEGISLATURE

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L.D. 11

DATE: 3/31/05

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EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 16, L.D. 11, "Resolve, Regarding Legislative Review of Chapter 40: Medication Administration in Maine Schools, a Major Substantive Rule of the Department of Education"

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

Sec. 1. Adoption. Resolved: That final adoption of Chapter 40: Medication Administration in Maine Schools, a provisionally adopted major substantive rule of the Department of Education that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the rule is amended as follows.

1. The rule must be amended to require that a school's written local policy for administering medication must stipulate that a "drug fact sheet" be presented and available for any medication administered in the school.

2. The rule must be amended to require that a school's written local policy for administering medication must stipulate that the proper storage of medication at the school must be storage in a secure area for holding medications.

3. The rule must be amended to stipulate that the training review and information update required for unlicensed school personnel who have received initial training and authorization to administer medication to students must specify the type of

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to H.P. 16, L.D. 11

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training to be reviewed and the type of information to be updated. The rule must require that the trainer document that the unlicensed school personnel have attended the appropriate continuing education sessions and have demonstrated competency in medication administration.

4. The rule must be amended to require that the initial training provided to unlicensed school personnel who are authorized to administer medication to students must inform school personnel of the liabilities for both the individual dispensing medication and the individual monitoring the dispensing of medications in school.'

SUMMARY

This amendment is the minority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment provides that the legislative review of Chapter 40: Medication Administration in Maine Schools, a major substantive rule of the Department of Education, is authorized only if the rule is amended to insert additional conditions to the required local school policy, training and authorization for the administration of medication by unlicensed school personnel in school settings.

**FISCAL NOTE REQUIRED
(See attached)**

COMMITTEE AMENDMENT



122nd MAINE LEGISLATURE

LD 11

LR 0877(03)

**Resolve, Regarding Legislative Review of Chapter 40: Medication Administration in Maine Schools, a
Major Substantive Rule of the Department of Education**

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Minority Report

Fiscal Note

Minor cost increase - General Fund