

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

SECOND REGULAR SESSION-2020

Legislative Document

No. 1972

S.P. 674

In Senate, January 8, 2020

An Act To Increase Access to and Reduce the Cost of Epinephrine Autoinjectors by Amending the Definition of "Epinephrine Autoinjector"

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

Reference to the Committee on Health Coverage, Insurance and Financial Services suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator SANBORN, H. of Cumberland.
Cosponsored by Representative CARNEY of Cape Elizabeth and
Senators: BELLOWS of Kennebec, CLAXTON of Androscoggin, GRATWICK of Penobscot.

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

2 **Sec. 1. 20-A MRSA §254, sub-§5, ¶C**, as enacted by PL 2003, c. 531, §1, is
3 amended to read:

4 C. A public school or a private school approved pursuant to section 2902 must have
5 a written local policy authorizing students to possess and self-administer emergency
6 medication from an asthma inhaler or an epinephrine ~~pen~~ autoinjector as defined in
7 section 6305, subsection 1, paragraph C. The written local policy must include the
8 following requirements.

9 (1) A student who self-administers an asthma inhaler or an epinephrine ~~pen~~
10 autoinjector must have the prior written approval of the student's primary health
11 care provider and, if the student is a minor, the prior written approval of the
12 student's parent or guardian.

13 (2) The student's parent or guardian must submit written verification to the
14 school from the student's primary health care provider confirming that the student
15 has the knowledge and the skills to safely possess and use an asthma inhaler or an
16 epinephrine ~~pen~~ autoinjector in school.

17 (3) The school nurse shall evaluate the student's technique to ensure proper and
18 effective use of an asthma inhaler or an epinephrine ~~pen~~ autoinjector in school.

19 **Sec. 2. 20-A MRSA §6305, sub-§1, ¶C**, as enacted by PL 2013, c. 526, §1, is
20 amended to read:

21 C. "Epinephrine autoinjector" means a single-use device that automatically injects
22 used for the automatic injection of a premeasured dose of epinephrine into a human
23 body or another single-use epinephrine delivery system approved by the federal Food
24 and Drug Administration for public use.

25 **Sec. 3. 22 MRSA §2150-F, sub-§3**, as enacted by PL 2015, c. 231, §1, is
26 amended to read:

27 **3. Epinephrine autoinjector.** "Epinephrine autoinjector" means a single-use device
28 used for the automatic injection of a premeasured dose of epinephrine into a human body
29 or another single-use epinephrine delivery system approved by the federal Food and Drug
30 Administration for public use.

31 **Sec. 4. 22 MRSA §2496, sub-§2**, as amended by PL 2009, c. 211, Pt. A, §9, is
32 further amended to read:

33 **2. Youth camps; emergency medication.** A youth camp must have a written policy
34 authorizing campers to self-administer emergency medication, including, but not limited
35 to, an asthma inhaler or an epinephrine ~~pen~~ autoinjector as defined in section 2150-F,
36 subsection 3. The written policy must include the following requirements:

37 A. A camper who self-administers emergency medication must have the prior written
38 approval of the camper's primary health care provider and the camper's parent or
39 guardian;

- 1 B. The camper's parent or guardian must submit written verification to the youth
2 camp from the camper's primary health care provider confirming that the camper has
3 the knowledge and the skills to safely self-administer the emergency medication in
4 camp;
- 5 C. The youth camp health staff must evaluate the camper's technique to ensure
6 proper and effective use of the emergency medication in camp; and
- 7 D. The emergency medication must be readily available to the camper.

8 **Sec. 5. 30-A MRSA §3108**, as enacted by PL 2007, c. 588, §1, is amended to
9 read:

10 **§3108. Asthma inhalers and epinephrine ~~pens~~ autoinjectors**

11 Municipal employees and volunteers that operate or assist in any municipal
12 recreational program or camp may receive training on how to administer asthma inhalers
13 and epinephrine ~~pens~~ autoinjectors as defined in Title 22, section 2150-F, subsection 3.
14 Municipal employees and volunteers may possess and administer prescribed asthma
15 inhalers and epinephrine ~~pens~~ autoinjectors in order to provide emergency aid.

16 **SUMMARY**

17 This bill amends the definition of "epinephrine autoinjector" in different Titles of the
18 Maine Revised Statutes to include devices approved by the federal Food and Drug
19 Administration that deliver a specific dose of epinephrine by means other than automatic
20 injection of epinephrine into the human body. The bill changes references to epinephrine
21 pen to epinephrine autoinjector.