MAINE STATE LEGISLATURE

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L.D. 1292			Nos
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3	JUDICIARY
4	Reproduced and distributed under the direction of the Secretary of the Senate.
5	STATE OF MAINE
6	SENATE
7	130TH LEGISLATURE
8	FIRST SPECIAL SESSION
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COMMITTEE AMENDMENT " 1) " to S.P. 405, L.D. 1292, "An Act Regarding the 9 Parental Right To Direct the Health Care of Children" 10

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 32 MRSA §2213 is enacted to read:

§2213. Unauthorized medical procedures; minors

- 1. Unauthorized medical treatment of a minor prohibited. Except as provided in subsection 3, an individual licensed as an advanced practice registered nurse under this chapter may not perform a physical examination or surgical procedure on, administer a vaccine to or prescribe a prescription drug to a minor without the permission of that minor's parent or guardian. Nothing in this subsection changes the scope of practice of an advanced practice registered nurse.
- 2. Unauthorized withholding of medical treatment of a minor prohibited. An individual licensed as an advanced practice registered nurse under this chapter may not institute an order not to resuscitate, an order to withhold an artificial life-sustaining procedure or an order to withhold artificial nutrition and hydration for a minor without the permission of that minor's parent or guardian.
- 3. Exceptions. Notwithstanding subsection 1, an individual licensed as an advanced practice registered nurse under this chapter may perform a physical examination or surgical procedure on or prescribe a prescription drug to a minor without the permission of that minor's parent or guardian:
 - A. If the individual licensed as an advanced practice registered nurse under this chapter determines that an emergency exists and that the examination, procedure or prescription drug is necessary to save the life of the minor or when the parent or guardian cannot be located or contacted after a reasonably diligent effort;
 - B. As authorized by Title 22, sections 1501 to 1507;
- C. As authorized by Title 22, section 1597-A;

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•	COMMITTEE AMENDMENT "A " to S.P. 405, L.D. 1292 (S.Z.72)
1	D. As authorized by Title 22, section 1823; or
2	E. As authorized by Title 22, section 1908.
3	Sec. 2. 32 MRSA §2600-G is enacted to read:
4	§2600-G. Unauthorized medical procedures; minors
5	1. Unauthorized medical treatment of a minimum and a minim
6	subsection 3, an individual licensed under this chapter may not perform a physical examination or surgical procedure on administer a surgical procedure on a surgical procedure of the surgical proc
7 8	examination or surgical procedure on, administer a vaccine to or prescribe a prescription drug to a minor without the permission of that minor's parent or guardian.
9	2. Unauthorized withholding of modical to the contract of the
10	2. Unauthorized withholding of medical treatment of a minor prohibited. An individual licensed under this chapter may not institute an order not to resuscitate, an order to withhold an artificial life-sustaining procedure are resulting.
11	to withhold an artificial life-sustaining procedure or an order to withhold artificial nutrition
12	Without the permission of that minor's parent or quardian
13	5. Exceptions. Notwithstanding subsection 1 and 1 11 11 11
14 15	chapter may perform a physical examination or surgical procedure on or prescribe a
16	and the minor without the permission of that minor's parent or quardient
17	A. If the individual licensed under this chapter determines that an emergency exists
18	
19	the minor or when the parent or guardian cannot be located or contacted after a reasonably diligent effort;
20	B. As authorized by section 2595;
21	C. As authorized by Title 22, sections 1501 to 1507;
22	D. As authorized by Title 22, section 1597-A;
23	E. As authorized by Title 22, section 1823; or
24	F. As authorized by Title 22, section 1908.
25	Sec. 3. 32 MRSA §3300-J is enacted to read:
26	§3300-J. Unauthorized medical procedures; minors
27	1. Unauthorized medical treatment of a minimum and a minim
28 29	subsection 3, an individual licensed under this chapter may not perform a physical examination or surgical procedure on administer a vacariation of surgical procedure of surgical procedure on administer a vacariation of surgical procedure of surgical procedure on administer a vacariation of surgical procedure of surgical procedure of surgical procedure on administer a vacariation of surgical procedure on administer and surgical procedure on administer a vacariation of surgical procedure on administer and surgical procedure on a sur
30	examination or surgical procedure on, administer a vaccine to or prescribe a prescription
31	permission of that minor's parent or guardian
32	2. Unauthorized withholding of medical treatment of a minor prohibited. An individual licensed under this chapter may not institute.
33	individual licensed under this chapter may not institute an order not to resuscitate, an order to withhold an artificial life-sustaining procedure are an order not to resuscitate, an order
34	and hydration for a minor without the permission of that minor's parent or quardien
35 36	5. Exceptions. Notwithstanding subsection 1
36 37	chapter may perform a physical examination or surgical procedure on or prescribe a
	without the permission of that minor's parent or quardian
38 39	A. If the individual licensed under this chapter detarms
	and that the examination, procedure or prescription drug is necessary to save the life of

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<u>~</u> S		COMMITTEE AMENDMENT "A" to S.P. 405, L.D. 1292 (S-27L)
20-	1	the minor or when the parent or guardian cannot be located or contacted after a
	2	reasonably diligent effort;
	3	B. As authorized by section 3292;
	4	C. As authorized by Title 22, sections 1501 to 1507;
	5	D. As authorized by Title 22, section 1597-A;
	6	E. As authorized by Title 22, section 1823; or
	7	F. As authorized by Title 22, section 1908.'
	8	Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
	9	number to read consecutively.
	10	SUMMARY
		This amendment strikes and replaces the bill. It removes the section relating to
	11	quarantine of minors. The amendment provides that individuals licensed by the Board of
	12	quarantine of minors. The amendment provides that individuals money advanced practice
	13	Licensure in Medicine, licensed osteopathic physicians and licensed advanced practice
	14	registered nurses may not provide medical treatment without parental consent except when
	15	an emergency exists and the treatment is necessary to save the life of the minor, when the
	16	parent or guardian cannot be located or contacted after a reasonably diligent enorganic
	17	when authorized by current law allowing for treatment of minors without parental consent

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FISCAL NOTE REQUIRED

(See attached)



130th MAINE LEGISLATURE

LD 1292

LR 1656(02)

An Act Regarding the Parental Right To Direct the Health Care of Children

Fiscal Note for Bill as Amended by Committee Amendment 'A" (S-Z)

Committee: Judiciary

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Any additional costs to the Department of Health and Human Services to implement the provisions of this bill are expected to be minor and can be absorbed within existing budgeted resources.