

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

**Sec. 1. 22 MRSA §1531**, as enacted by PL 1983, c. 848, §2, is repealed and the following enacted in its place:

**§ 1531. Care of infants after birth**

**1. Prophylactic ophthalmic ointment and reporting requirement.** Every physician, midwife or nurse in charge shall instill or cause to be instilled into the eyes of an infant within 24 hours after its birth prophylactic ophthalmic ointment prescribed by the department and provided without cost by the department. If one or both eyes of an infant become reddened or inflamed at any time within 4 weeks after birth, the midwife, nurse or person having charge of the infant shall report the condition of the eyes at once to a physician licensed under Title 32, chapter 36 or 48.

**2. Vitamin K injection.** Every physician, midwife or nurse in charge shall administer 0.5 or 1 milligram, based on the infant's weight, of vitamin K to an infant intramuscularly within 6 hours after the infant's birth.

**3. Rulemaking.** The department shall adopt rules to implement this section, including, but not limited to, creating and making publicly available a brochure about the medical benefits and risks of administering the prophylactic ophthalmic ointment and vitamin K injection, and providing a form on which a parent can refuse the prophylactic ophthalmic ointment or vitamin K injection for the infant of that parent.

**Sec. 2. Department of Health and Human Services to amend form.** The Department of Health and Human Services shall amend its newborn blood spot screening refusal form to include a section permitting a parent to refuse the prophylactic ophthalmic ointment or vitamin K injection required under the Maine Revised Statutes, Title 22, section 1531 for the infant of that parent.

**Sec. 3. Appropriations and allocations.** The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

**Maine Center for Disease Control and Prevention 0143**

Initiative: Provides funding for the Department of Health and Human Services to create and provide brochures about the medical benefits and risks of the prophylactic ointment and vitamin K treatments.

<b>GENERAL FUND</b>	<b>2019-20</b>	<b>2020-21</b>
All Other	\$7,500	\$2,500
<b>GENERAL FUND TOTAL</b>	<b>\$7,500</b>	<b>\$2,500</b>

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

## **SUMMARY**

This amendment, which is the unanimous report of the committee, replaces the bill. Current law requires every physician, midwife or nurse in charge to instill or cause to be instilled into the eyes of an infant within 24 hours after the infant's birth prophylactic eye drops, except for an infant whose parents object to this procedure on the grounds that it conflicts with their religious tenets and practices. This amendment updates the term "eye drops" to "ophthalmic ointment" to reflect current practice, removes the civil penalties for noncompliance and removes the exemption based on religious tenets and practices.

This amendment also requires every physician, midwife or nurse in charge at the birth of an infant to administer vitamin K to an infant intramuscularly to prevent vitamin K deficiency bleeding in infants within 6 hours after the infant's birth.

It requires the Department of Health and Human Services to adopt rules to implement this section, including, but not limited to, creating and making publicly available a brochure about the medical benefits and risks of administering the prophylactic ophthalmic ointment and vitamin K injection and providing a form on which a parent can refuse the prophylactic ophthalmic ointment and vitamin K injection for the infant of that parent. It also requires the Department of Health and Human Services to amend its newborn blood spot screening refusal form to include a section permitting a parent to refuse the prophylactic ophthalmic ointment and vitamin K injection for the infant of that parent.

## **FISCAL NOTE REQUIRED**

**(See attached)**