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EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE

SENATE

131ST LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to S.P. 364, L.D. 867, “An Act Regarding Undesignated Ready-to-use Glucagon Rescue Therapies in Schools”

Amend the bill in section 1 in §6308 by striking out all of subsection 1 (page 1, lines 4 to 25 in L.D.) and inserting the following:

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Diabetes care plan" means an individual health plan document that specifies the diabetes-related services needed by a student at school and at school-sponsored activities and may include an emergency action plan.

B. "Emergency action plan" means a document that provides guidelines to prepare school personnel to respond to a serious or life-threatening injury or medical emergency.

C. "Health care provider" means a physician licensed in this State with a scope of practice that includes prescribing medication.

D. "School" means a public elementary school or public secondary school, public charter school or private school approved for tuition purposes.

E. "Undesignated ready-to-use glucagon rescue therapy" means a glucagon rescue therapy approved by the United States Food and Drug Administration that does not require reconstitution for the treatment of severe hypoglycemia in a dosage form that can be rapidly administered to the patient in an emergency, including prefilled injectable or nasally administered glucagon, prescribed in the name of a school or school administrative unit as provided in this section.

F. "Unlicensed school personnel" means persons acting on behalf of the school who have completed the training required by rule to administer medication but do not possess a professional license that allows them to administer medication.'

COMMITTEE AMENDMENT

1 Amend the bill in section 1 in §6308 in subsection 3 in the 3rd line (page 1, line 31 in
2 L.D.) by striking out the following: "school employees" and inserting the following: 'a
3 school nurse and unlicensed school personnel'

4 Amend the bill in section 1 in §6308 in subsection 3 in the 4th line (page 1, line 32 in
5 L.D.) by striking out the following: "School employees" and inserting the following: 'A
6 school nurse or unlicensed school personnel'

7 Amend the bill in section 1 in §6308 in subsection 3 in the 5th line (page 1, line 33 in
8 L.D.) by inserting after the following: "student" the following: 'with a known diagnosis of
9 diabetes'

10 Amend the bill in section 1 in §6308 in subsection 3 by inserting after the first blocked
11 paragraph the following:

12 'The school shall provide an emergency action plan to a school employee who transports a
13 student for school-sponsored activities. The emergency action plan must identify the
14 student with diabetes, the potential emergencies that may occur as a result of the student's
15 diabetes and provide the student's emergency contact information and diabetes care plan.'

16 Amend the bill in section 1 in §6308 in subsection 4 in the first blocked paragraph in
17 the first line (page 2, line 3 in L.D.) by striking out the following: "employee" and inserting
18 the following: 'nurse or unlicensed school personnel'

19 Amend the bill in section 1 in §6308 in subsection 4 in the first blocked paragraph in
20 the 2nd line (page 2, line 4 in L.D.) by striking out the following: "employee" and inserting
21 the following: 'nurse or unlicensed school personnel'

22 Amend the bill in section 1 in §6308 in subsection 4 in the first blocked paragraph in
23 the 4th line (page 2, line 6 in L.D.) by striking out the following: "employee" and inserting
24 the following: 'nurse, unlicensed school personnel'

25 Amend the bill in section 1 in §6308 in subsection 5 in the last 4 lines (page 2, lines 12
26 to 15 in L.D.) by striking out the following: "and notify the school nurse, unless the school
27 nurse was the person administering the undesignated ready-to-use glucagon rescue therapy,
28 and the student's parent or guardian, emergency contact and health care provider, if known,
29 of the administration of the undesignated ready-to-use glucagon rescue therapy" and
30 inserting the following: ', notify the school nurse and follow the emergency action plan'

31 Amend the bill in section 1 in §6308 by striking out all of subsection 6 (page 2, lines
32 16 to 37 in L.D.).

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

35 SUMMARY

36 This amendment, which is the majority report of the committee, provides that only a
37 school nurse or unlicensed school personnel who have completed the training required by
38 rule to administer medication may administer glucagon to a student. It also amends the
39 definition of "health care provider" and "diabetes care plan," adds a definition for
40 "emergency action plan" and removes the training that school employees may undergo.

41 FISCAL NOTE REQUIRED

42 (See attached)