



# HOUSE OF REPRESENTATIVES

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*Testimony of Rep. Holly T. Sargent in support of  
LD 2172, Resolve, Regarding Legislative Review of Portions of Chapter 33:  
Rule Governing Physical Restraint and Seclusion, a Major Substantive Rule  
of the Department of Education, State Board of Education  
Before the Joint Standing Committee on Education and Cultural Affairs*

Good afternoon, Senator Rafferty, Representative Murphy and fellow members of the Joint Standing Committee on Education and Cultural Affairs. I am Holly Sargent, and I represent District 147. I am pleased to call your attention to **LD 2172, Resolve, Regarding Legislative Review of Portions of Chapter 33: Rule Governing Physical Restraint and Seclusion, a Major Substantive Rule of the Department of Education, State Board of Education.**

This resolve provides for the final adoption of portions of Chapter 33: Rule Governing Physical Restraint and Seclusion. This substantive rule change is identical to the verbiage that was approved and voted on by this committee in the first session.

Provisional changes were adopted through LD 1248 that made two changes:

- In Sec. 1. 20-A MRSA 4014 subsection 1, paragraph D removing the word “voluntary” from the definition of physical escort; and
- Replacing the language in subsection 1, paragraph G-1 to read: “serious physical impairment means any impairment of the physical condition of a person, whether self-inflicted or inflicted by someone else, that requires a medical practitioner, including, but not limited to, a school nurse, to evaluate or treat the person.”

I request that we approve this legislative review.