



129th MAINE LEGISLATURE

SECOND REGULAR SESSION-2020

Legislative Document

No. 2059

H.P. 1463

House of Representatives, January 16, 2020

An Act To Clarify the Provision for Care of Infants after Birth

Submitted by the Department of Health and Human Services pursuant to Joint Rule 203.
Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative HYMANSON of York.

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

2 **Sec. 1. 22 MRSA §1531, sub-§1**, as enacted by PL 2019, c. 426, §1, is amended
3 to read:

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

11 **Sec. 2. PL 2019, c. 426, §2** is amended to read:

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

18 **SUMMARY**

19 This bill makes the following changes to the laws governing the administration of
20 prophylactic ophthalmic ointment and vitamin K injections to infants:

21 1. It specifies that the incidence of inflamed or reddened eyes in an infant be reported
22 to the infant's primary care provider rather than to an unspecified physician;

23 2. It removes language specifying that the ophthalmic ointment is prescribed and
24 provided without cost by the Department of Health and Human Services; and

25 3. It requires the department to develop a form to be used by a parent wishing to
26 refuse the prophylactic ophthalmic ointment or vitamin K injection that is separate from
27 the newborn blood spot screening refusal form.