



129th MAINE LEGISLATURE

SECOND REGULAR SESSION-2020

Legislative Document

No. 2152

S.P. 776

In Senate, March 12, 2020

**An Act To Permit Naloxone Possession and Administration in
Public and Private Schools**

(AFTER DEADLINE)

Submitted by the Department of Education pursuant to Joint Rule 205.
Reference to the Committee on Education and Cultural Affairs suggested and ordered
printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator MILLETT of Cumberland.

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

2 **Sec. 1. 20-A MRSA §6307** is enacted to read:

3 **§6307. Naloxone hydrochloride possession and distribution**

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

6 A. "Collaborative practice agreement" means a written and signed agreement
7 between a physician licensed in this State or a school health advisor under section
8 6402-A and a school nurse under section 6403-A that provides for the possession,
9 prescription, administration and distribution of naloxone hydrochloride by the
10 physician or school health advisor and administration of naloxone hydrochloride by
11 the school nurse or designated school personnel to students, staff or visitors during
12 school or a school-sponsored activity under emergency circumstances involving an
13 opioid overdose or apparent opioid overdose.

14 B. "Designated school personnel" means those employees, agents or volunteers of a
15 school administrative unit or approved private school designated by a collaborative
16 practice agreement between a physician licensed in this State or a school health
17 advisor under section 6402-A and a school nurse under 6403-A who have completed
18 the training required by the guidelines developed pursuant to subsection 8 to
19 administer naloxone hydrochloride to a student, staff member or visitor.

20 C. "Naloxone hydrochloride" means medication, in a noninjectable form,
21 administered to reverse the effects of opioids in the emergency treatment of an opioid
22 overdose.

23 D. "School" means a public or approved private school.

24 **2. Collaborative practice agreement; adoption authorized.** A school
25 administrative unit or an approved private school may authorize adoption of a
26 collaborative practice agreement for the purposes of stocking, possessing and
27 administering naloxone hydrochloride as provided under this section. The administration
28 of naloxone hydrochloride in accordance with this section is not the practice of medicine.

29 **3. Collaborative practice agreement; authority.** A collaborative practice
30 agreement permits a physician licensed in this State or school health advisor under
31 section 6402-A to prescribe naloxone hydrochloride and direct a school nurse under
32 section 6403-A to administer naloxone hydrochloride in good faith to any student, staff
33 member or visitor experiencing an apparent opioid overdose during school or a school-
34 sponsored activity or otherwise on school grounds. Pursuant to a collaborative practice
35 agreement, a physician licensed in this State or school health advisor under section
36 6402-A may authorize the school nurse under section 6403-A during school or a school-
37 sponsored activity to designate designated school personnel to administer naloxone
38 hydrochloride if the school nurse is not present when a student, staff member or visitor
39 experiences a suspected opioid overdose.

1 **4. Collaborative practice agreement; terms and provisions.** A collaborative
2 practice agreement must include the following information:

3 A. Name and address of the school;

4 B. Identification and signatures of the physician or school health advisor under
5 section 6402-A and school nurse under section 6403-A who are parties to the
6 collaborative practice agreement, the dates the agreement is signed by each party and
7 the beginning and end dates of the period of time within which the agreement is in
8 effect; and

9 C. Any other information considered appropriate by the physician or school health
10 advisor under section 6402-A and school nurse under section 6403-A.

11 **5. Use of naloxone hydrochloride without a collaborative practice agreement.** If
12 a collaborative practice agreement has not been adopted pursuant to subsection 2, the
13 governing body of a school administrative unit or an approved private school may
14 authorize a school nurse under section 6403-A to:

15 A. Stock and possess naloxone hydrochloride prescribed by a legally authorized
16 individual; and

17 B. Administer naloxone hydrochloride prescribed by a legally authorized individual
18 to any student, staff member or visitor that the school nurse, based on the school
19 nurse's professional judgment, suspects to be experiencing an opioid overdose.

20 The administration of naloxone hydrochloride in accordance with this subsection is not
21 the practice of medicine.

22 **6. Manufacturer or supplier arrangement.** A school administrative unit or an
23 approved private school may enter into an arrangement with a manufacturer of naloxone
24 hydrochloride or a 3rd-party supplier of naloxone hydrochloride to obtain naloxone
25 hydrochloride at fair market prices, reduced prices or no cost.

26 **7. Purchase from licensed pharmacies.** A collaborative practice agreement under
27 this section may provide that a school administrative unit or an approved private school
28 may purchase naloxone hydrochloride from a pharmacy licensed in this State.

29 **8. Guidelines.** By January 1, 2021, and as needed after that date, the department in
30 consultation with the Department of Health and Human Services shall develop and make
31 available to all schools guidelines for the management of opioid overdose during school
32 or a school-sponsored activity or otherwise on school grounds. The guidelines must
33 include, but are not limited to:

34 A. Education and training for school personnel on recognition of opioid overdose,
35 rescue breathing and the administration of naloxone hydrochloride; and

36 B. Procedures for responding to opioid overdose.

SUMMARY

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This bill provides for the administration of naloxone hydrochloride in a noninjectable form to students, school staff and school visitors through collaborative practice agreements between physicians licensed in this State or school health advisors and public and private school nurses.