

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

Date: (Filing No. H- )

**JUDICIARY**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
131ST LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 906, L.D. 1410, “An Act to Hold School Employees Civilly Liable for Failure to Notify Parents Regarding Medical Issues of Students Under 18 Years of Age”

Amend the bill by striking out the title and substituting the following:

**'An Act to Require Parental Consent for a School Employee to Provide Certain Medical Care and Referrals to Students Under 18 Years of Age'**

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

'Sec. 1. 20-A MRSA c. 223, sub-c. 12 is enacted to read:

**SUBCHAPTER 12**

**PARENTAL CONSENT TO MEDICAL CARE**

**§6691. Parental consent regarding medical care required**

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

A. "Emergency" means a circumstance involving an immediate risk to life or an immediate risk of serious bodily injury.

B. "School employee" means a school nurse, school counselor, teacher, staff member, principal or other administrative official at a public or private school.

**2. Prohibitions.** Except in an emergency, a school employee is prohibited from:

A. Providing a prescription or nonprescription drug or medical device to a minor student without parental consent; or

B. Referring a minor student to a health care professional, including a mental health professional, without parental consent.'

**COMMITTEE AMENDMENT**

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

3 **SUMMARY**

4 This amendment, which is the minority report of the committee, changes the title and  
5 replaces the bill. The amendment prohibits a school employee from providing a  
6 prescription or nonprescription drug or medical device to a minor student without parental  
7 consent and from referring a minor student to a health care professional, including a mental  
8 health professional, without parental consent. The prohibitions in the amendment do not  
9 apply in an "emergency," which is defined to mean circumstances involving an immediate  
10 risk to life or an immediate risk of serious bodily injury.