

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out all of section 1 (page 1, lines 2 to 15 in L.D.) and inserting the following:

‘**Sec. 1. 20-A MRSA §6455** is enacted to read:

**§ 6455. Body mass index data**

**1. Collection of data.** A school nurse or trained screener shall collect body mass index data from students in the school administrative unit in accordance with rules of the Department of Health and Human Services. Data may not be collected from a student whose parent or guardian objects on religious or philosophical grounds.

**2. Reporting of data.** A school nurse shall report the data collected under subsection 1 to the Department of Health and Human Services, Maine Center for Disease Control and Prevention.

**3. Funding.** In the event federal funds are not available for collecting and reporting data pursuant to this section, the State, municipality or school administrative unit is under no obligation to use any state, municipal or school administrative unit funds to carry out the purposes of this section.

**4. Rules.** The Department of Health and Human Services shall adopt routine technical rules in accordance with Title 5, chapter 375, subchapter 2-A to implement this section. The rules must at a minimum:

- A. Establish a schedule and protocol for the collection of data from students; and
- B. Provide a method for uniform reporting of the collected data to the Maine Center for Disease Control and Prevention.

**Sec. 2. Appropriations and allocations.** The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

**Health - Bureau of 0143**

Initiative: Appropriates funds for personal services and related costs to implement and administer the collection and analysis of student body mass index data reported by schools.

<b>GENERAL FUND</b>	<b>2009-10</b>	<b>2010-11</b>
POSITIONS - FTE COUNT	0.300	0.100
Personal Services	\$18,535	\$6,406
All Other	\$10,666	\$5,889

GENERAL FUND TOTAL	\$29,201	\$12,295
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### **SUMMARY**

This amendment changes the bill by allowing trained screeners, in addition to school nurses, to collect body mass index data from students. It also allows a student to be exempt from this collection of data if the student's parent or guardian objects on religious or philosophical grounds. It makes the collection and reporting of data contingent upon the availability of federal funds. It also adds an appropriations and allocations section.

### **FISCAL NOTE REQUIRED** **(See attached)**