



General Assembly

**Substitute Bill No. 5429**

February Session, 2004

\*        HB05429PH        041304        \*

**AN ACT CONCERNING ADMINISTRATION OF MEDICATION IN  
SCHOOLS AND REPEALING AN OBSOLETE SECTION OF THE  
STATUTES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. Subsection (a) of section 10-212a of the general statutes, as  
2 amended by section 4 of public act 03-211, is repealed and the  
3 following is substituted in lieu thereof (*Effective July 1, 2004*):

4       (a) (1) A school nurse or, in the absence of such nurse, any other  
5 nurse licensed pursuant to the provisions of chapter 378, including a  
6 nurse employed by, or providing services under the direction of a local  
7 or regional board of education at, a school-based health clinic, who  
8 shall administer medical preparations only to students enrolled in such  
9 school-based health clinic in the absence of a school nurse, the  
10 principal, any teacher, licensed physical or occupational therapist  
11 employed by a school district, or coach of intramural and  
12 interscholastic athletics of a school may administer, subject to the  
13 provisions of subdivision (2) of this subsection, medicinal  
14 preparations, including such controlled drugs as the Commissioner of  
15 Agriculture and Consumer Protection may, by regulation, designate,  
16 to any student at such school pursuant to the written order of a  
17 physician licensed to practice medicine or a dentist licensed to practice  
18 dental medicine in this or another state, or an advanced practice  
19 registered nurse licensed to prescribe in accordance with section 20-

20 94a, or a physician assistant licensed to prescribe in accordance with  
21 section 20-12d, and the written authorization of a parent or guardian of  
22 such child. The administration of medicinal preparations by a nurse  
23 licensed pursuant to the provisions of chapter 378, a principal, teacher,  
24 licensed physical or occupational therapist employed by a school  
25 district, or coach shall be under the general supervision of a school  
26 nurse. No such school nurse or other nurse, principal, teacher, licensed  
27 physical or occupational therapist employed by a school district, coach  
28 or school paraprofessional administering medication pursuant to  
29 subsection (d) of this section shall be liable to such student or a parent  
30 or guardian of such student for civil damages for any personal injuries  
31 which result from acts or omissions of such school nurse or other  
32 nurse, principal, teacher, licensed physical or occupational therapist  
33 employed by a school district, coach or school paraprofessional  
34 administering medication pursuant to subsection (d) of this section in  
35 administering such preparations which may constitute ordinary  
36 negligence. This immunity shall not apply to acts or omissions  
37 constituting gross, wilful or wanton negligence.

38 (2) Each local and regional board of education that allows a school  
39 nurse or, in the absence of such nurse, any other nurse licensed  
40 pursuant to the provisions of chapter 378, including a nurse employed  
41 by, or providing services under the direction of a local or regional  
42 board of education at, a school-based health clinic, who shall  
43 administer medical preparations only to students enrolled in such  
44 school-based health clinic in the absence of a school nurse, the  
45 principal, any teacher, licensed physical or occupational therapist  
46 employed by a school district, or coach of intramural and  
47 interscholastic athletics of a school to administer medicine or that  
48 allows a student to self-administer medicine shall adopt written  
49 policies and procedures, in accordance with this section and the  
50 regulations adopted pursuant to subsection (c) of this section, that  
51 shall be approved by the school medical advisor or other qualified  
52 licensed physician. Once so approved, such administration of  
53 medication shall be in accordance with such policies and procedures.

54      Sec. 2. (*Effective July 1, 2004*) Section 8 of public act 03-168 is  
55      repealed.

This act shall take effect as follows:	
Section 1	<i>July 1, 2004</i>
Sec. 2	<i>July 1, 2004</i>

**PH**      *Joint Favorable Subst.*