



General Assembly

Amendment

January Session, 2015

LCO No. 8610



Offered by:

REP. LAVIELLE, 143rd Dist.
REP. FLEISCHMANN, 18th Dist.
REP. CANDELORA, 86th Dist.
REP. CARTER, 2nd Dist.

REP. KLARIDES, 114th Dist.
REP. KOKORUDA, 101st Dist.
REP. STEINBERG, 136th Dist.

To: Subst. House Bill No. 7023

File No. 770

Cal. No. 389

**"AN ACT CONCERNING VARIOUS REVISIONS AND ADDITIONS
TO THE EDUCATION STATUTES."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 10-212a of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective July 1, 2015*):

5 (a) (1) A school nurse or, in the absence of such nurse, any other
6 nurse licensed pursuant to the provisions of chapter 378, including a
7 nurse employed by, or providing services under the direction of a local
8 or regional board of education at, a school-based health clinic, who
9 shall administer medical preparations only to students enrolled in such
10 school-based health clinic in the absence of a school nurse, the
11 principal, any teacher, licensed athletic trainer, licensed physical or
12 occupational therapist employed by a school district, or coach of

13 intramural and interscholastic athletics of a school may administer,
14 subject to the provisions of subdivision (2) of this subsection,
15 medicinal preparations, including such controlled drugs as the
16 Commissioner of Consumer Protection may, by regulation, designate,
17 to any student at such school pursuant to the written order of a
18 physician licensed to practice medicine, or a dentist licensed to practice
19 dental medicine in this or another state, or an optometrist licensed to
20 practice optometry in this state under chapter 380, or an advanced
21 practice registered nurse licensed to prescribe in accordance with
22 section 20-94a, or a physician assistant licensed to prescribe in
23 accordance with section 20-12d, and the written authorization of a
24 parent or guardian of such child. The administration of medicinal
25 preparations by a nurse licensed pursuant to the provisions of chapter
26 378, a principal, teacher, licensed athletic trainer, licensed physical or
27 occupational therapist employed by a school district, or coach shall be
28 under the general supervision of a school nurse. No such school nurse
29 or other nurse, principal, teacher, licensed athletic trainer, licensed
30 physical or occupational therapist employed by a school district, coach
31 or school paraprofessional administering medication pursuant to this
32 section shall be liable to such student or a parent or guardian of such
33 student for civil damages for any personal injuries that result from acts
34 or omissions of such school nurse or other nurse, principal, teacher,
35 licensed athletic trainer, licensed physical or occupational therapist
36 employed by a school district, coach or school paraprofessional
37 administering medication pursuant to this section in administering
38 such preparations that may constitute ordinary negligence. This
39 immunity does not apply to acts or omissions constituting gross, wilful
40 or wanton negligence.

41 (2) Each local and regional board of education that allows a school
42 nurse or, in the absence of such nurse, any other nurse licensed
43 pursuant to the provisions of chapter 378, including a nurse employed
44 by, or providing services under the direction of a local or regional
45 board of education at, a school-based health clinic, who shall
46 administer medical preparations only to students enrolled in such

47 school-based health clinic in the absence of a school nurse, the
48 principal, any teacher, licensed athletic trainer, licensed physical or
49 occupational therapist employed by a school district, coach of
50 intramural and interscholastic athletics or school paraprofessional of a
51 school to administer medicine or that allows a student to self-
52 administer medicine, including medicine administered through the
53 use of an asthmatic inhaler or an automatic prefilled cartridge injector
54 or similar automatic injectable equipment, shall adopt written policies
55 and procedures, in accordance with this section and the regulations
56 adopted pursuant to subsection (c) of this section, that shall be
57 approved by the school medical advisor, if any, or other qualified
58 licensed physician. Once so approved, such administration of
59 medication shall be in accordance with such policies and procedures.

60 (3) A director of a school readiness program as defined in section
61 10-16p or a before or after school program exempt from licensure by
62 the Department of Public Health pursuant to subdivision (1) of
63 subsection (b) of section 19a-77, or the director's designee, may
64 administer medications to a child enrolled in such a program in
65 accordance with regulations adopted by the State Board of Education
66 in accordance with the provisions of chapter 54. No individual
67 administering medications pursuant to this subdivision shall be liable
68 to such child or a parent or guardian of such child for civil damages for
69 any personal injuries that result from acts or omissions of such
70 individual in administering such medications which may constitute
71 ordinary negligence. This immunity shall not apply to acts or
72 omissions constituting gross, wilful or wanton negligence.

73 (b) Each school wherein any controlled drug is administered under
74 the provisions of this section shall keep such records thereof as are
75 required of hospitals under the provisions of subsections (f) and (h) of
76 section 21a-254 and shall store such drug in such manner as the
77 Commissioner of Consumer Protection shall, by regulation, require.

78 (c) The State Board of Education, in consultation with the
79 Commissioner of Public Health, shall adopt regulations, in accordance

80 with the provisions of chapter 54, determined to be necessary by the
81 board to carry out the provisions of this section, including, but not
82 limited to, regulations that (1) specify conditions under which a coach
83 of intramural and interscholastic athletics may administer medicinal
84 preparations, including controlled drugs specified in the regulations
85 adopted by the commissioner, to a child participating in such
86 intramural and interscholastic athletics, (2) specify conditions and
87 procedures for the administration of medication by school personnel to
88 students, including the conditions and procedures for the storage and
89 administration of epinephrine by school personnel to students for the
90 purpose of emergency first aid to students who experience allergic
91 reactions and who do not have a prior written authorization for the
92 administration of epinephrine, in accordance with the provisions of
93 subdivision (2) of subsection (d) of this section, and (3) specify
94 conditions for self-administration of medication by students, including
95 permitting a child diagnosed with: (A) Asthma to retain possession of
96 an asthmatic inhaler at all times while attending school for prompt
97 treatment of the child's asthma and to protect the child against serious
98 harm or death provided a written authorization for self-administration
99 of medication signed by the child's parent or guardian and an
100 authorized prescriber is submitted to the school nurse; and (B) an
101 allergic condition to retain possession of an automatic prefilled
102 cartridge injector or similar automatic injectable equipment at all times
103 while attending school for prompt treatment of the child's allergic
104 condition and to protect the child against serious harm or death
105 provided a written authorization for self-administration of medication
106 signed by the child's parent or guardian and an authorized prescriber
107 is submitted to the school nurse. The regulations shall require
108 authorization pursuant to: (i) The written order of a physician licensed
109 to practice medicine in this or another state, a dentist licensed to
110 practice dental medicine in this or another state, an advanced practice
111 registered nurse licensed under chapter 378, a physician assistant
112 licensed under chapter 370, a podiatrist licensed under chapter 375, or
113 an optometrist licensed under chapter 380; and (ii) the written
114 authorization of a parent or guardian of such child.

115 (d) (1) (A) With the written authorization of a student's parent or
116 guardian, and (B) pursuant to the written order of a qualified medical
117 professional, a school nurse and a school medical advisor, if any, may
118 jointly approve and provide general supervision to an identified
119 school paraprofessional to administer medication, including, but not
120 limited to, medication administered with a cartridge injector, to a
121 specific student with a medically diagnosed allergic condition that
122 may require prompt treatment in order to protect the student against
123 serious harm or death.

124 (2) A school nurse or, in the absence of a school nurse, a qualified
125 school employee shall maintain epinephrine in cartridge injectors for
126 the purpose of emergency first aid to students who experience allergic
127 reactions and do not have a prior written authorization of a parent or
128 guardian or a prior written order of a qualified medical professional
129 for the administration of epinephrine. A school nurse or a school
130 principal shall select qualified school employees to administer such
131 epinephrine under this subdivision, and there shall be at least one such
132 qualified school employee on the grounds of the school during regular
133 school hours in the absence of a school nurse. A school nurse or, in the
134 absence of such school nurse, such qualified school employee may
135 administer such epinephrine under this subdivision, provided such
136 administration of epinephrine is in accordance with policies and
137 procedures adopted pursuant to subsection (a) of this section. Such
138 administration of epinephrine by a qualified school employee shall be
139 limited to situations when the school nurse is absent or unavailable.
140 No qualified school employee shall administer such epinephrine under
141 this subdivision unless such qualified school employee annually
142 completes the training program described in section 10-212g. The
143 parent or guardian of a student may submit, in writing, to the school
144 nurse and school medical advisor, if any, that epinephrine shall not be
145 administered to such student under this subdivision.

146 (3) For purposes of this subsection, (A) "cartridge injector" means an
147 automatic prefilled cartridge injector or similar automatic injectable

148 equipment used to deliver epinephrine in a standard dose for
149 emergency first aid response to allergic reactions, (B) "qualified school
150 employee" means a principal, teacher, licensed athletic trainer, licensed
151 physical or occupational therapist employed by a school district, coach
152 or school paraprofessional, and (C) "qualified medical professional"
153 means (i) a physician licensed under chapter 370, (ii) an optometrist
154 licensed to practice optometry under chapter 380, (iii) an advanced
155 practice registered nurse licensed to prescribe in accordance with
156 section 20-94a, or (iv) a physician assistant licensed to prescribe in
157 accordance with section 20-12d.

158 (e) (1) With the written authorization of a student's parent or
159 guardian, and (2) pursuant to a written order of the student's physician
160 licensed under chapter 370, a school nurse or a school principal shall
161 select, and a school nurse shall provide general supervision to, a
162 qualified school employee to administer medication with injectable
163 equipment used to administer glucagon to a student with diabetes that
164 may require prompt treatment in order to protect the student against
165 serious harm or death. Such authorization shall be limited to situations
166 when the school nurse is absent or unavailable. No qualified school
167 employee shall administer medication under this subsection unless (A)
168 such qualified school employee annually completes any training
169 required by the school nurse and school medical advisor, if any, in the
170 administration of medication with injectable equipment used to
171 administer glucagon, (B) the school nurse and school medical advisor,
172 if any, have attested, in writing, that such qualified school employee
173 has completed such training, and (C) such qualified school employee
174 voluntarily agrees to serve as a qualified school employee. For
175 purposes of this subsection, "injectable equipment used to administer
176 glucagon" means an injector or injectable equipment used to deliver
177 glucagon in an appropriate dose for emergency first aid response to
178 diabetes. For purposes of this subsection, "qualified school employee"
179 means a principal, teacher, licensed athletic trainer, licensed physical
180 or occupational therapist employed by a school district, coach or
181 school paraprofessional.

182 (f) (1) (A) With the written authorization of a student's parent or
183 guardian, and (B) pursuant to the written order of a physician licensed
184 under chapter 370, a school nurse and a school medical advisor, if any,
185 shall select, and a school nurse shall provide general supervision to, a
186 qualified school employee to administer antiepileptic medication,
187 including by rectal syringe, to a specific student with a medically
188 diagnosed epileptic condition that requires prompt treatment in
189 accordance with the student's individual seizure action plan. Such
190 authorization shall be limited to situations when the school nurse is
191 absent or unavailable. No qualified school employee shall administer
192 medication under this subsection unless (A) such qualified school
193 employee annually completes the training program described in
194 subdivision (2) of this subsection, (B) the school nurse and school
195 medical advisor, if any, have attested, in writing, that such qualified
196 school employee has completed such training, (C) such qualified
197 school employee receives monthly reviews by the school nurse to
198 confirm such qualified school employee's competency to administer
199 antiepileptic medication under this subsection, and (D) such qualified
200 school employee voluntarily agrees to serve as a qualified school
201 employee. For purposes of this subsection, "qualified school employee"
202 means a principal, teacher, licensed athletic trainer, licensed physical
203 or occupational therapist employed by a school district, coach or
204 school paraprofessional.

205 (2) The Department of Education, in consultation with the School
206 Nurse Advisory Council, established pursuant to section 10-212f, and
207 the Association of School Nurses of Connecticut, shall develop an
208 antiepileptic medication administrating training program. Such
209 training program shall include instruction in (A) an overview of
210 childhood epilepsy and types of seizure disorders, (B) interpretation of
211 individual student's emergency seizure action plan and recognition of
212 individual student's seizure activity, (C) emergency management
213 procedures for seizure activity, including administration techniques
214 for emergency seizure medication, (D) when to activate emergency
215 medical services and postseizure procedures and follow-up, (E)

216 reporting procedures after a student has required such delegated
217 emergency seizure medication, and (F) any other relevant issues or
218 topics related to emergency interventions for students who experience
219 seizures."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	July 1, 2015	10-212a