



General Assembly

January Session, 2019

**Amendment**

LCO No. 8704



Offered by:  
SEN. MINER, 30<sup>th</sup> Dist.

To: Subst. Senate Bill No. 1069      File No. 642      Cal. No. 303

**"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 Section 10-212a of the general statutes is repealed and the  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, 2019*):

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 possess, self-  
52 administer or possess and self-administer medicine, including  
53 medicine administered through the use of an asthmatic inhaler or an  
54 automatic prefilled cartridge injector or similar automatic injectable  
55 equipment, shall adopt written policies and procedures, in accordance  
56 with this section and the regulations adopted pursuant to subsection  
57 (c) of this section, that shall be approved by the school medical  
58 advisor, if any, or other qualified licensed physician. Once so  
59 approved, such administration of medication shall be in accordance  
60 with such policies and procedures.

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

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

79 (c) The State Board of Education, in consultation with the  
80 Commissioner of Public Health, shall adopt regulations, in accordance  
81 with the provisions of chapter 54, determined to be necessary by the  
82 board to carry out the provisions of this section, including, but not

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

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

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

149 (3) In the case of a student with a medically diagnosed life-  
150 threatening allergic condition, (A) with the written authorization of  
151 such student's parent or guardian, and (B) pursuant to the written

152 order of a qualified medical professional, such student may possess,  
153 self-administer or possess and self-administer medication, including,  
154 but not limited to, medication administered with a cartridge injector,  
155 to protect such student against serious harm or death.

156 (4) For purposes of this subsection, (A) "cartridge injector" means an  
157 automatic prefilled cartridge injector or similar automatic injectable  
158 equipment used to deliver epinephrine in a standard dose for  
159 emergency first aid response to allergic reactions, (B) "qualified school  
160 employee" means a principal, teacher, licensed athletic trainer, licensed  
161 physical or occupational therapist employed by a school district, coach  
162 or school paraprofessional, and (C) "qualified medical professional"  
163 means (i) a physician licensed under chapter 370, (ii) an optometrist  
164 licensed to practice optometry under chapter 380, (iii) an advanced  
165 practice registered nurse licensed to prescribe in accordance with  
166 section 20-94a, or (iv) a physician assistant licensed to prescribe in  
167 accordance with section 20-12d.

168 (e) (1) With the written authorization of a student's parent or  
169 guardian, and (2) pursuant to a written order of the student's physician  
170 licensed under chapter 370 or the student's advanced practice  
171 registered nurse licensed under chapter 378, a school nurse or a school  
172 principal shall select, and a school nurse shall provide general  
173 supervision to, a qualified school employee to administer medication  
174 with injectable equipment used to administer glucagon to a student  
175 with diabetes that may require prompt treatment in order to protect  
176 the student against serious harm or death. Such authorization shall be  
177 limited to situations when the school nurse is absent or unavailable.  
178 No qualified school employee shall administer medication under this  
179 subsection unless (A) such qualified school employee annually  
180 completes any training required by the school nurse and school  
181 medical advisor, if any, in the administration of medication with  
182 injectable equipment used to administer glucagon, (B) the school nurse  
183 and school medical advisor, if any, have attested, in writing, that such  
184 qualified school employee has completed such training, and (C) such  
185 qualified school employee voluntarily agrees to serve as a qualified

186 school employee. For purposes of this subsection, "injectable  
187 equipment used to administer glucagon" means an injector or  
188 injectable equipment used to deliver glucagon in an appropriate dose  
189 for emergency first aid response to diabetes. For purposes of this  
190 subsection, "qualified school employee" means a principal, teacher,  
191 licensed athletic trainer, licensed physical or occupational therapist  
192 employed by a school district, coach or school paraprofessional.

193 (f) (1) (A) With the written authorization of a student's parent or  
194 guardian, and (B) pursuant to the written order of a physician licensed  
195 under chapter 370 or an advanced practice registered nurse licensed  
196 under chapter 378, a school nurse and a school medical advisor, if any,  
197 shall select, and a school nurse shall provide general supervision to, a  
198 qualified school employee to administer antiepileptic medication,  
199 including by rectal syringe, to a specific student with a medically  
200 diagnosed epileptic condition that requires prompt treatment in  
201 accordance with the student's individual seizure action plan. Such  
202 authorization shall be limited to situations when the school nurse is  
203 absent or unavailable. No qualified school employee shall administer  
204 medication under this subsection unless (i) such qualified school  
205 employee annually completes the training program described in  
206 subdivision (2) of this subsection, (ii) the school nurse and school  
207 medical advisor, if any, have attested, in writing, that such qualified  
208 school employee has completed such training, (iii) such qualified  
209 school employee receives monthly reviews by the school nurse to  
210 confirm such qualified school employee's competency to administer  
211 antiepileptic medication under this subsection, and (iv) such qualified  
212 school employee voluntarily agrees to serve as a qualified school  
213 employee. For purposes of this subsection, "qualified school employee"  
214 means a principal, teacher, licensed athletic trainer, licensed physical  
215 or occupational therapist employed by a school district, coach or  
216 school paraprofessional.

217 (2) The Department of Education, in consultation with the School  
218 Nurse Advisory Council, established pursuant to section 10-212f, and  
219 the Association of School Nurses of Connecticut, shall develop an

220 antiepileptic medication administrating training program. Such  
221 training program shall include instruction in (A) an overview of  
222 childhood epilepsy and types of seizure disorders, (B) interpretation of  
223 individual student's emergency seizure action plan and recognition of  
224 individual student's seizure activity, (C) emergency management  
225 procedures for seizure activity, including administration techniques  
226 for emergency seizure medication, (D) when to activate emergency  
227 medical services and postseizure procedures and follow-up, (E)  
228 reporting procedures after a student has required such delegated  
229 emergency seizure medication, and (F) any other relevant issues or  
230 topics related to emergency interventions for students who experience  
231 seizures.

232 (g) (1) A school nurse or, in the absence of a school nurse, a qualified  
233 school employee may maintain opioid antagonists for the purpose of  
234 emergency first aid to students who experience a drug overdose and  
235 do not have a prior written authorization of a parent or guardian or a  
236 prior written order of a qualified medical professional for the  
237 administration of an opioid antagonist. A school nurse or a school  
238 principal may select qualified school employees to administer such  
239 opioid antagonist under this subdivision, and there may be at least one  
240 such qualified school employee on the grounds of the school during  
241 regular school hours in the absence of a school nurse. A school nurse  
242 or, in the absence of such school nurse, such qualified school employee  
243 shall administer such opioid antagonist under this subdivision,  
244 provided such administration of an opioid antagonist is in accordance  
245 with policies and procedures adopted pursuant to subsection (a) of this  
246 section. Such administration of an opioid antagonist by a qualified  
247 school employee shall be limited to situations when the school nurse is  
248 absent or unavailable. No qualified school employee shall administer  
249 such opioid antagonist under this subdivision unless such qualified  
250 school employee annually completes the training program described in  
251 section 502 of this act.

252 (2) For purposes of this subsection, (A) "opioid antagonist" means  
253 naloxone hydrochloride or any other similarly acting and equally safe



254 drug approved by the federal Food and Drug Administration for the  
 255 treatment of drug overdose, (B) "qualified school employee" means a  
 256 principal, teacher, licensed athletic trainer, licensed physical or  
 257 occupational therapist employed by a school district, coach or school  
 258 paraprofessional, and (C) "qualified medical professional" means (i) a  
 259 physician licensed under chapter 370, (ii) an optometrist licensed to  
 260 practice optometry under chapter 380, (iii) an advanced practice  
 261 registered nurse licensed to prescribe in accordance with section 20-  
 262 94a, or (iv) a physician assistant licensed to prescribe in accordance  
 263 with section 20-12d.

264       Sec. 502. (NEW) (*Effective July 1, 2019*) Not later than December 31,  
 265 2019, the Departments of Education and Public Health shall, within  
 266 available appropriations, jointly develop, in consultation with the  
 267 School Nurse Advisory Council, established pursuant to section 10-  
 268 212f of the general statutes, an annual training program regarding  
 269 emergency first aid to students who experience a drug overdose. Such  
 270 annual training program shall include instruction in (1)  
 271 cardiopulmonary resuscitation, (2) first aid, (3) the signs and  
 272 symptoms of a drug overdose, (4) prevention and risk-reduction  
 273 strategies, (5) emergency management and administration of an opioid  
 274 antagonist, as defined in section 10-212a of the general statutes, as  
 275 amended by this act, (6) follow-up and reporting procedures after a  
 276 student has experienced a drug overdose, (7) carrying out the  
 277 provisions of subsection (g) of section 10-212a of the general statutes,  
 278 as amended by this act, and (8) any other relevant issues and topics  
 279 related to emergency first aid to students who experience a drug  
 280 overdose. The Department of Education shall make such annual  
 281 training program available to local and regional boards of education."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>July 1, 2019</i>	10-212a
Sec. 502	<i>July 1, 2019</i>	New section