

2 SSB 5547 - H COMM AMD
3 By Committee on Education

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5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 28A.210.260 and 1994 sp.s. c 9 s 720 are each amended
8 to read as follows:

9 Public school districts and private schools which conduct any of
10 grades kindergarten through the twelfth grade may provide for the
11 administration of oral medication of any nature to students who are in
12 the custody of the school district or school at the time of
13 administration, but are not required to do so by this section, subject
14 to the following conditions:

15 (1) The board of directors of the public school district or the
16 governing board of the private school or, if none, the chief
17 administrator of the private school shall adopt policies which address
18 the designation of employees who may administer oral medications to
19 students, the acquisition of parent requests and instructions, and the
20 acquisition of dentist and physician requests and instructions
21 regarding students who require medication for more than fifteen
22 consecutive school days, the identification of the medication to be
23 administered, the means of safekeeping medications with special
24 attention given to the safeguarding of legend drugs as defined in
25 chapter 69.41 RCW, and the means of maintaining a record of the
26 administration of such medication;

27 (2) The board of directors shall seek advice from one or more
28 licensed physicians or nurses in the course of developing the foregoing
29 policies;

30 (3) The public school district or private school is in receipt of
31 a written, current and unexpired request from a parent, or a legal
32 guardian, or other person having legal control over the student to
33 administer the medication to the student;

34 (4) The public school district or the private school is in receipt
35 of (a) a written, current and unexpired request from a licensed
36 physician or dentist for administration of the medication, as there

1 exists a valid health reason which makes administration of such
2 medication advisable during the hours when school is in session or the
3 hours in which the student is under the supervision of school
4 officials, and (b) written, current and unexpired instructions from
5 such physician or dentist regarding the administration of prescribed
6 medication to students who require medication for more than fifteen
7 consecutive work days;

8 (5) The medication is administered by an employee designated by or
9 pursuant to the policies adopted pursuant to subsection (1) of this
10 section and in substantial compliance with the prescription of a
11 physician or dentist or the written instructions provided pursuant to
12 subsection (4) of this section;

13 (6) The medication is first examined by the employee administering
14 the same to determine in his or her judgment that it appears to be in
15 the original container and to be properly labeled; ((and))

16 (7) The board of directors shall designate a professional person
17 licensed pursuant to chapter 18.71 RCW or chapter 18.79 RCW as it
18 applies to registered nurses and advanced registered nurse
19 practitioners, to train and supervise the designated school district
20 personnel in proper medication procedures; and

21 (8)(a) School district employees employed by the district before
22 the effective date of this section and not licensed under chapter 18.79
23 or 18.88A RCW may file with the district a written letter of refusal to
24 administer oral medications to students.

25 (b) School district employees employed or transferred by the
26 district after the effective date of this section and not licensed
27 under chapter 18.79 or 18.88A RCW may file with the district a written
28 letter of refusal to administer oral medications to students unless the
29 employee's job description specifically includes the administration of
30 oral medications.

31 (c) A written letter of refusal filed under (a) or (b) of this
32 subsection shall be retained by the district and may not serve as
33 grounds for employee dismissal or termination of employment.

34 **Sec. 2.** RCW 28A.210.280 and 1994 sp.s. c 9 s 721 are each amended
35 to read as follows:

36 (1) Public school districts and private schools that offer classes
37 for any of grades kindergarten through twelve may provide for clean,
38 intermittent bladder catheterization of students, or assisted self-

1 catheterization of students pursuant to RCW 18.79.290, if the
2 catheterization is provided for in substantial compliance with:

3 (a) Rules adopted by the state nursing care quality assurance
4 commission and the instructions of a registered nurse or advanced
5 registered nurse practitioner issued under such rules; and

6 (b) Written policies of the school district or private school which
7 shall be adopted in order to implement this section and shall be
8 developed in accordance with such requirements of chapters 41.56 and
9 41.59 RCW as may be applicable.

10 (2) (~~This section does not require school districts to provide~~
11 ~~intermittent bladder catheterization of students.~~) (a) School district
12 employees employed by the district before the effective date of this
13 section and not licensed under chapter 18.79 or 18.88A RCW may file
14 with the district a written letter of refusal to administer clean
15 intermittent bladder catheterizations of students.

16 (b) School district employees employed or transferred by the
17 district after the effective date of this section and not licensed
18 under chapter 18.79 or 18.88A RCW may file with the district a written
19 letter of refusal to administer clean intermittent bladder
20 catheterizations of students unless the employee's job description
21 specifically includes the administration of such catheterizations.

22 (c) A written letter of refusal filed under (a) or (b) of this
23 subsection shall be retained by the district and may not serve as
24 grounds for employee dismissal or termination of employment.

EFFECT: Nonnursing school employees hired before the effective date of this act may file a written letter of refusal to administer oral medications or clean intermittent bladder catheterizations of students. Nonnursing school employees hired or transferred after the effective date of this act may file a written refusal to administer those services if the employee's job description does not include a responsibility to administer them. The letter will be retained by the district and cannot be used as grounds for dismissal or termination. Current language reiterating the permissive nature of the statute is removed.

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