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SENATE BILL 5693

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State of Washington

57th Legislature

2001 Regular Session

By Senators Eide, Finkbeiner, Rasmussen, Hochstatter, Winsley and Kohl-Welles

Read first time 01/31/2001. Referred to Committee on Education.

1 AN ACT Relating to medicinal and catheterization administration in  
2 public schools; and amending RCW 28A.210.260 and 28A.210.280.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 28A.210.260 and 2000 c 63 s 1 are each amended to read  
5 as follows:

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

12 (1) The board of directors of the public school district or the  
13 governing board of the private school or, if none, the chief  
14 administrator of the private school shall adopt policies which address  
15 the designation and written agreement of employees who may administer  
16 oral medications to students, the acquisition of parent requests and  
17 instructions, and the acquisition of requests from licensed health  
18 professionals prescribing within the scope of their prescriptive  
19 authority and instructions regarding students who require medication

1 for more than fifteen consecutive school days, the identification of  
2 the medication to be administered, the means of safekeeping medications  
3 with special attention given to the safeguarding of legend drugs as  
4 defined in chapter 69.41 RCW, and the means of maintaining a record of  
5 the administration of such medication and written agreement of  
6 employees;

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

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

14 (4) The public school district or the private school is in receipt  
15 of (a) a written, current and unexpired request from a licensed health  
16 professional prescribing within the scope of his or her prescriptive  
17 authority for administration of the medication, as there exists a valid  
18 health reason which makes administration of such medication advisable  
19 during the hours when school is in session or the hours in which the  
20 student is under the supervision of school officials, and (b) written,  
21 current and unexpired instructions from such licensed health  
22 professional prescribing within the scope of his or her prescriptive  
23 authority regarding the administration of prescribed medication to  
24 students who require medication for more than fifteen consecutive work  
25 days;

26 (5) The medication is administered by an employee designated by or  
27 pursuant to the policies adopted pursuant to subsection (1) of this  
28 section and in substantial compliance with the prescription of a  
29 licensed health professional prescribing within the scope of his or her  
30 prescriptive authority or the written instructions provided pursuant to  
31 subsection (4) of this section;

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

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

1       (8) School district employees, not licensed under chapter 18.79 or  
2 18.88A RCW, if student safety is involved, may file a written letter of  
3 refusal to administer oral medications to students with the school  
4 district. This written letter of refusal may not serve as grounds for  
5 employee dismissal or termination of employment, however, the letter of  
6 refusal may result in a reduction of the employees' work hours if the  
7 refusal results in a need to hire additional personnel to administer  
8 oral medications.

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

11       (1) Public school districts and private schools that offer classes  
12 for any of grades kindergarten through twelve may provide for clean,  
13 intermittent bladder catheterization of students, or assisted self-  
14 catheterization of students pursuant to RCW 18.79.290, if the  
15 catheterization is provided for in substantial compliance with:

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

19       (b) Written policies of the school district or private school which  
20 shall be adopted in order to implement this section and shall be  
21 developed in accordance with such requirements of chapters 41.56 and  
22 41.59 RCW as may be applicable.

23       (2) School district employees, not licensed under chapter 18.79 or  
24 18.88A RCW, if student safety is involved, may file a written letter of  
25 refusal to perform clean, intermittent bladder catheterization of  
26 students. This written letter of refusal may not serve as grounds for  
27 employee dismissal or termination of employment, however, the letter of  
28 refusal may result in a reduction of the employees' work hours if the  
29 refusal results in a need to hire additional personnel to administer  
30 clean intermittent bladder catheterizations.

31       (3) This section does not require school districts to provide  
32 intermittent bladder catheterization of students.

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