

# HOUSE BILL REPORT

## HB 2247

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### As Passed Legislature

**Title:** An act relating to expanding the types of medications that a public or private school employee may administer to include topical medication, eye drops, and ear drops.

**Brief Description:** Expanding the types of medications that a public or private school employee may administer to include topical medication, eye drops, and ear drops.

**Sponsors:** Representatives Green, Cody, Billig, Fitzgibbon, Reykdal, Maxwell, Jinkins, Finn, Moeller and Ryu.

#### **Brief History:**

##### **Committee Activity:**

Health Care & Wellness: 1/18/12, 1/23/12 [DP].

##### **Floor Activity:**

Passed House: 1/30/12, 96-0.

Passed Senate: 2/24/12, 49-0.

Passed Legislature.

#### **Brief Summary of Bill**

- Allows school employees to administer topical medications, eye drops, or ear drops.

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### HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

**Majority Report:** Do pass. Signed by 11 members: Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hinkle, Assistant Ranking Minority Member; Bailey, Clibborn, Green, Harris, Kelley, Moeller and Van De Wege.

**Staff:** Jim Morishima (786-7191).

#### **Background:**

A public or private school employee may administer oral medications to children who are in the custody of the public or private school at the time of administration if the following conditions are met:

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- The school district or the private school has policies that address:
  - the designation of the employees who may administer the medications;
  - the acquisition of parent requests and instructions; and
  - requests from licensed health professionals prescribing within the scope of their prescriptive authority and instructions regarding students who require medication for more than 15 consecutive school days, the identification of the medication to be administered, the means of safekeeping medications, and the means of maintaining records of the administration of the medications.
- The school district or private school possesses a written, current, and unexpired request of a parent, legal guardian, or other person having legal control over the student to administer the medication to the student.
- The public school district or private school possesses:
  - a written, current, and unexpired request from a licensed health professional acting within the scope of his or her prescriptive authority for administration of the medication, because there exists a valid health reason that makes administration of the medication advisable during school hours or the hours when the student is under the supervision of school officials; and
  - written, current, and unexpired instructions from the licensed health professional regarding the administration of the medication to students who require medication for more than 15 consecutive work days.
- The medication is administered by a designated school employee in compliance with the prescription or written instructions.
- The medication is first examined by the employee administering the medication to determine whether it appears to be in the original container and properly labeled.
- A physician, advanced registered nurse practitioner, or registered nurse has been designated to train and supervise the designated employee in proper medication procedures.

A school employee, school district, or private school is immune from civil or criminal liability arising from the administration of medications in a manner that complies with state law, the applicable prescription, and applicable written instructions. Similarly, a school employee, school district, or private school is immune from criminal or civil liability for the discontinuance of the medication as long as notice has been given to the parent, legal guardian, or other person having legal control over the student.

**Summary of Bill:**

The type of medication that may be administered by a school employee is expanded to include topical medication, eye drops, and ear drops.

In order to be able to administer the medications, a physician, advanced registered nurse practitioner, or registered nurse must be designated to delegate to (in addition to training and supervising) the designated employee in proper medication procedures.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Currently, school employees can administer oral medications, but not by other routes. This can be an unnecessary burden for school nurses. A lot of parents do not understand why school employees may not administer topical medications, ear drops, and eye drops. There are not a lot of safety risks associated with these drugs. School nurses would make sure, just like they do with oral medications, that these medications would be delivered safely.

(Opposed) None.

**Persons Testifying:** Lynn Nelson, School Nurse Organization of Washington; and Paula Meyer, Nursing Commission.

**Persons Signed In To Testify But Not Testifying:** None.