

**Policy 2422.7, Standards for Basic and Specialized Health Care Procedures
Comment Log**

Comment Period: March 12, 2021 - April 12, 2021

Action

A/S Comment was accepted and supports the proposed policy.

A/C Comment was accepted and resulted in changes to the proposed policy.

N Comment was not accepted.

Date	Commenter	Comments	Action	Rationale
§126-25A-6 Health Care Plan and Emergency Action Plan				
2021-03-24	Terry Hamrick Parent Daniels WV	Section 6.2 no parent/guardian involvement or acknowledgement is given. Parents should sign off a list of appointed share-ees. Section 6.3 Review plan with parents/guardians to ensure compliance with PPRA Section 98.4	A/C N	Will include in the policy, collaboration with the parent/guardian in preparing the health care plan. School nurses are knowledgeable of the staff members that will need access to the health care plan in which a list does not need created for the parent to approve. According to PPRA Section 98.4, the health care plan would not compromise student privacy. The purpose of the health care plan is to provide and manage interventions for the student according to the physician's orders.
§126-25A-8 School Health Records.				
2021-03-24	Terry Hamrick Parent Daniels WV	Section 8.4a include parents in deciding permissible access Section 8.4d why remove time constraints expressly coded into the policy. The WVBOE should not have indefinite, unimpeded access to a child's health records.	N N	FERPA is the nation's strongest privacy protection laws and each person having access to files is guided by the law. A system is in place at each county board to protect student rights related to files. The federally funded programs have regulations as to how long records are kept. WVDE does not keep student records and county boards comply with those regulations set forth.

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§126-25A-10. Administration of Medication.				
2021-03-24	Terry Hamrick Parent Daniels WV	Section 10.1 - "shall consider the lack of emergency life-saving medications as child neglect" - to hang the charge of child neglect on an entity (including the WVBOE) it must be clear what is meant by life-saving.	N	Comment does not match 10.1.
		Section 10.3 strike "sufficient" and replace w/ "shall be valid only for the school year in which permission is granted".	N	Comment does not match 10.3.
§126-25A-12. Emergency Medication.				
2021-03-24	Terry Hamrick Parent Daniels WV	Section 12.7 - Why was "shall" struck and replaced with "should"? The two have very different legal meanings. As a parent, I would demand to know, if, when, and why my child was administered an auto-injector. The term "should" only offers the recommendation of notifying the parent, whereas "shall" infers an obligation to notify.	A/C	Will delete "should" and replace with "shall".
		Section 12.13 - What is "ample"? Be more specific and detailed.	A/C	Will delete sentence; contact with parent is previously stated.