

126CSR27

**TITLE 126
LEGISLATIVE RULE
BOARD OF EDUCATION**

**SERIES 27
MEDICATION ADMINISTRATION POLICY (POLICY 2422.8)**

§126-27-1. General.

1.1. Scope. - This legislative rule establishes standards for administration of oral, topical and emergency medication in West Virginia Public Schools by persons not licensed as health care providers.

1.2. Authority - W.Va. Code §§16-5O-1, 18-2-5, 18-5-22, 18-5-22a, 18A-4-8, 30-7-1 and 30-7a-1.

1.3. Filing Date - _____

1.4. Effective Date - _____

1.5. This is a new policy.

§126-27-2. Purpose.

2.1. Good health is essential to student learning. Administration of medication during the school day is often essential to allow students to attend school. This policy establishes the standards that must be followed when persons not licensed as health care providers administer specified oral, topical or emergency medications to students.

§126-27-3. Application.

3.1. These regulations apply to any personnel who have been trained by the certified school nurse and designated to administer specified oral, topical and emergency medications to students.

3.2. These regulations do not prevent teachers and aides from administering oral medications as specified in Policy 2422.7 - Standards for Basic and Specialized Health Care Procedures, but are supplemental thereto.

126CSR27

§126-27-4. Definitions.

4.1. Administration of oral, topical or emergency medication - A non-specialized health procedure which may be performed by trained personnel who deliver medications, as follows, to students.

4.1.1. Assisting a person in the ingestion or application of medications, including prescription drugs, according to the legibly written or printed directions of the attending physician or authorized practitioner, or as written on the prescription label; and

4.1.2. Making a written record of the assistance with regard to each medication administered, including the time, route and amount taken: Provided, That for the purpose of this article, "administration" does not include judgment, evaluation, assessments, or injections of medications, other than when emergency assistance is required as specified in W.Va. Code §18-5-22.

4.2. "Certified School Nurse" is defined as a registered professional nurse, licensed by the West Virginia Board of Examiners for Registered Professional Nurses (W.Va. Code §30-7-1, et seq.), who has completed a West Virginia Department of Education approved program as defined in Policy 5100 and meets the requirements for certification contained in Policy 5202. The certified school nurse must be employed by the county board of education or the county health department as specified in W.Va. Code §18-5-22.

4.3. "Licensed Health Care Provider" means a medical doctor or doctor of osteopathy, a podiatrist, registered nurse, practical nurse, registered nurse practitioner, physician's assistant, dentist, optometrist or respiratory care professional licensed under chapter thirty of W.Va. Code.

4.4. "Medication" means a drug, as defined in W.Va. Code §60a-1-101, which has been prescribed by a duly authorized health care professional to be ingested through the mouth or applied to the outer skin, or in case of emergency, injected.

4.5. "Supervision of self-administration of medication" means a personal service which includes reminding students to take medications, opening medication containers for students, reading the medications label to students, observing students while they take medication, checking the self administration dosage against the label on the container and reassuring students that they have obtained and are taking the dosage as prescribed.

§126-27-5. Administration of Medication in Schools

5.1. The local board of education is authorized to establish and implement a policy and training program for the administration of medications in schools. The training program shall be developed and conducted by a school nurse in cooperation with the appropriate agencies, advisory bodies and boards and as outlined in the Policy 2422.7 - Standards for Basic and Specialized Health Care Procedures.

126CSR27

5.2. Training - Training in the proper and safe administration of specified oral, topical and emergency medication must be provided by a certified school nurse to any school personnel who volunteers and is designated to administer medications.

5.3. Performance Assessment - Personnel administering medications shall demonstrate to the certified school nurse all components of safe medication administration prior to having this procedure delegated to them.

5.4. Supervision - The school nurse will, at a minimum, annually review safe medication administration procedures with all personnel designated to administer medication including maintenance of appropriate records.

5.5. Support - The certified school nurse must be available by phone whenever medications are being administered to provide any needed support or technical assistance.

§126-27-6. Availability of records; eligibility requirements of school staff.

6.1. Any school nurse who authorizes staff members to administer medications pursuant to the provisions of this policy shall make available to the local board of education a list of the individual staff members authorized to administer medications.

6.2. A school nurse may permit a staff member to administer medications in a single specific school, only after compliance with all of the following:

6.2.1. The staff member has successfully completed a training program and received a satisfactory competency evaluation as required by the provisions of this policy;

6.2.2. A staff member has received individualized training for each student who receives one or more medications.

6.2.3. The staff member has demonstrated understanding of the need to maintain confidentiality regarding students' health conditions, medications and records.

6.2.4. The medication to be administered is received and maintained by the staff member in the original container in which it was dispensed by a pharmacist or the prescribing health care professional;

6.2.5. The staff member has complied with all other applicable requirements of this policy and other criteria, including minimum competency requirements, as are specified by the school nurse; and

6.2.6. The closest family member or guardian, of the student who requires medication administration, has signed a verified authorization permitting a school nurse designated staff member to give these medications.

126CSR27

§126-27-7 Local Board of Education Responsibility.

7.1. Medication Policy - As specified in W.Va. Code §18-5-22a, each county board of education will develop a medication administration policy. This policy must address the various mechanisms used to determine how medication administration is delegated.

FISCAL NOTE WORKSHEET
(Submit 4 Copies)

RD NO _____ DRAFT NO _____ BILL NO _____ RESOLUTION NO _____

SUBJECT Medication Administration Policy FUND _____

SOURCE OF REVENUE: GENERAL FUND SPECIAL OTHER (SPECIFY) _____

COST OF ESTIMATE BASED ON: AN ORIGINAL ESTIMATE BUDGET BILL OTHER (SPECIFY) _____

INCOME ESTIMATE BASED ON: AN ORIGINAL ESTIMATE BUDGET BILL OTHER (SPECIFY) _____

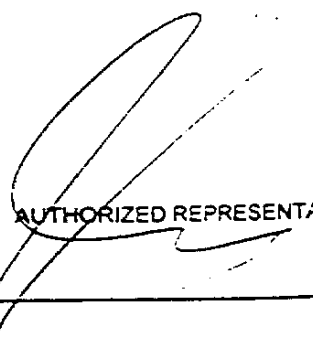
SHOW OVER-ALL EFFECT IN ITEMS 1 AND 2 & GIVE EXPLANATION OF BREAKDOWN BY FISCAL YEAR INCLUDING LONG-RANGE EFFECT

| EFFECT OF PROPOSAL | ANNUAL | | FISCAL YEAR | | |
|--|----------|----------|-------------|------|------------|
| | INCREASE | DECREASE | CURRENT | NEXT | THEREAFTER |
| 1. ESTIMATED TOTAL COST | \$ - 0 - | | \$ - 0 - | | |
| PERSONAL SERVICES CURRENT EXPENSES REPAIRS/ALTERATIONS EQUIPMENT OTHER | | | | | |
| 2. ESTIMATED TOTAL REVENUES | - 0 - | | - 0 - | | |

3. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

DATE: 3/1/61

AGENCY
West Virginia Department of Education

AUTHORIZED REPRESENTATIVE


**Policy 2422.8: Medication Administration
Comment Response Form**

Please use this form when commenting on proposed Policy 2422.8. You may attach additional sheets if necessary.

Individual/Organization: _____

Title: _____

Street Address: _____ City/State/Zip _____

Comments/Suggestions

126-27-1. General

126-27-2. Purpose.

126-27-3. Application.

126-27-4. Definitions.

126-27-5. Administration of Medication in Schools.

**Medication Administration Policy (Policy 2422.8)
Comment Response Form
Page two**

126-27-6. Availability of records; eligibility requirements of school staff.

126-27-7. Local Board of Education Responsibility.

Return comments by August 2, 2001 to:

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