

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #2

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NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: Division of Health TITLE NUMBER: 64

RULE TYPE: Legislative; CITE AUTHORITY W. Va. Code §18-5-22

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: 66

TITLE OF RULE BEING PROPOSED: Specialized Health Procedures in
Public Schools

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON September 10, 1990 AT 4:30 p.m.* ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS. *Comments must be received by or postmarked September 10, 1990.

Attn. Kay Howard
Regulatory Development Section
Dept. of Health and Human Resources
Bldg. 3, Capitol Complex
Charleston, WV 25305

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Taunja Willis Miller
Taunja Willis Miller, Secretary
Dept. of Health and Human Resources

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Specialized Health Procedures in Public Schools

Type of Rule: Legislative Interpretive Procedural

Agency Division of Health Address Building 3, Capitol Complex
Charleston, WV 25305

1. Effect of Proposed Rule	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$	\$	\$ 0	\$ 0	\$ 0
Personal Services					
Current Expense					
Repairs and Alterations					
Equipment					
Other					

2. Explanation of above estimates: The proposed rule and the procedural manual incorporated by reference have no cost implications for the Division of Health.

3. Objectives of these rules: This rule sets standards to be used for the provision of specialized health procedures to students and to implement the training of school employees, other than school nurses, who will provide such services. The rule incorporates by reference Basic and Specialized Health Care Procedure Manual for West Virginia Public Schools.

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

Estimated cost to the Department of Education of the provision of the training required is shown in the attached fiscal note.

B. Economic Impact on Political Subdivisions; Specific Industries; Specific groups of citizens.


None

C. Economic Impact on Citizens/Public at Large.

None

Date July 31, 1990

Signature of Agency Head or Authorized Representative



Taunja Willis Miller, Secretary
Department of Health and
Human Resources

FISCAL NOTE WORKSHEET

HD NO _____ DRAFT NO _____ BILL NO _____ RESOLUTION NO _____

SUBJECT Specialized Health Procedures in Schools FUND _____

SOURCE OF REVENUE: GENERAL SPECIAL OTHER (SPECIFY) _____

COST 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 AND ITEM 3 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	\$220,000	\$	\$	\$220,000	\$110,000
PERSONAL SERVICES	\$220,000	\$	\$	\$	\$
CURRENT EXPENSES					
REPAIRS AND ALTERATIONS					
EQUIPMENT					
OTHER					
2. ESTIMATED TOTAL REVENUES	\$ 0			\$220,000	\$110,000

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

Basic assumptions:

1. Each school building may have one or more children needing services - a backup person should be available in each building.
2. Training is estimated to cost \$100 per person. Training will include a CPR course and specialized training that may be provided through a contract with a local hospital, vocational school, primary care center, etc.

1100 buildings x 2 people x \$100 per person = \$220,000

Second year costs would decrease as retraining would not have to be as extensive.

IMPACTS
FISCAL:

STATE STAFF: Lenore Zedosky

DATE

AGENCY

AUTHORIZED REPRESENTATIVE

8/8/90

West Virginia Department of Education

William J. Pen

WEST VIRGINIA DIVISION OF HEALTH
RULE ABSTRACT
1990

Rule Title: Specialized Health Procedures in Public Schools

CSR Title and Series: 64 CSR 66

Type: Legislative

Summary: This rule sets standards to be used for the provision of specialized health procedures to students and to implement the training of school employees, other than school nurses, who will provide such services. The rule incorporates by reference Basic and Specialized Health Care Procedure Manual for West Virginia Public Schools.

For further information contact: Regulatory Development Section, Department of Health and Human Resources, telephone 348-3223 or Lenore Zedosky, West Virginia Department of Education, Student Support Services, Building 6, Room B-309, Capitol Complex, Charleston, West Virginia 25305, telephone 348-8830.

(PROPOSED)

TITLE 64

WEST VIRGINIA LEGISLATIVE RULES
DIVISION OF HEALTH

SPECIALIZED HEALTH PROCEDURES IN PUBLIC SCHOOLS

SERIES 66

1990

For Public Comment Period*
Ending September 10, 1990

*Comments must be received by or postmarked September 10, 1990.

[PROPOSED]
WEST VIRGINIA LEGISLATIVE RULES
DIVISION OF HEALTH
SPECIALIZED HEALTH PROCEDURES IN PUBLIC SCHOOLS

64 CSR 66

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(PROPOSED)
TITLE 64
WEST VIRGINIA LEGISLATIVE RULES
DIVISION OF HEALTH

SERIES 66
SPECIALIZED HEALTH PROCEDURES IN PUBLIC SCHOOLS

§64-66-1. General

1.1. Scope - This legislative rule establishes training requirements for and creates standards related to the performance of specialized health procedures in public schools.

1.2. Authority - W. Va. Code §18-5-22.

1.3. Filing Date -

1.4. Effective Date -

1.5. Public Comment Period -

1.6. Approval - This rule was approved by the director of the division of health on _____.

§64-66-2. Application

2.1. Application - This rule applies to public school employees who perform specialized health procedures.

§64-66-3. Definitions

3.1. School Employees - Teachers as defined in West Virginia Code §18-1-1 and aides as defined in West Virginia Code §18A-4-8.

3.2. School Nurse - A nurse certified as a school nurse by the West Virginia department of education.

3.3. Specialized Health Procedures - Procedures prescribed by a licensed physician which require health-related training for the individual who performs the procedures, including but not limited to, catheterization, suctioning of tracheostomy, nasogastric tube feeding or gastrostomy tube feeding.

§64-66-4. Training and Retraining

4.1. School employees, other than school nurses, who will provide specialized health procedures to students shall receive instruction acceptable to the department of education in basic first aid including the Heimlich maneuver, cardiopulmonary resuscitation, community emergency medical resources, and the procedures contained in "Section I - Basic Health Care Procedures" in the Basic and Specialized Health Care Procedure Manual for West Virginia Public Schools. Such section is incorporated herein by reference and is available from the West Virginia department of education.

4.2. School employees, other than school nurses, who will provide specialized health procedures to students shall receive training acceptable to the department of education in those specific specialized procedures they will perform. Such training shall be individualized and shall be provided through simulation or use of training models.

§64-66-5. Standards - The standards to be used in performing specialized health procedures are those contained in "Section II - Procedures for Providing Specialized Health Care" of the Basic and Specialized Health Care Procedure Manual for West Virginia Public Schools. Such section is incorporated herein by reference and is available from the West Virginia department of education. The list of specialized health procedures for which standards are hereby adopted is not a determination of which health procedures a school nurse may legally delegate authority.

§64-66-6. Revision of Training Courses and Standards - The director of the division of health may by order filed with the secretary of state amend such specialized health procedure standards as deemed necessary. Such revision shall take due consideration of the recommendations of the council of school nurses created by W. Va. Code §18-5-22 and the department of education.

§64-66-7. Severability - The provisions of this rule are declared to be severable. If any provisions of this rule shall be held invalid, the remaining provisions shall remain in effect.