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HOUSE BILL 1530

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State of Washington

56th Legislature

1999 Regular Session

By Representatives Quall, Talcott, Doumit, Lantz, Kenney, Veloria, Santos, Bush and Rockefeller

Read first time 03/01/1999.

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 1994 sp.s. c 9 s 720 are each amended  
5 to read 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 dentist and physician requests and  
18 instructions regarding students who require medication for more than  
19 fifteen consecutive school days, the identification of the medication

1 to be administered, the means of safekeeping medications with special  
2 attention given to the safeguarding of legend drugs as defined in  
3 chapter 69.41 RCW, and the means of maintaining a record of the  
4 administration of such medication and written agreement of employees;

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

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

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

22 (5) The medication is administered by an employee designated by or  
23 pursuant to the policies adopted pursuant to subsection (1) of this  
24 section and in substantial compliance with the prescription of a  
25 physician or dentist or the written instructions provided pursuant to  
26 subsection (4) of this section;

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

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

35 (8) School district employees, not licensed under chapter 18.79 or  
36 18.88A RCW, may file a written letter of refusal to administer oral  
37 medications to students with the school district. This written letter  
38 of refusal may not serve as grounds for employee dismissal or  
39 termination of employment.

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

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

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

11       (b) Written policies of the school district or private school which  
12 shall be adopted in order to implement this section and shall be  
13 developed in accordance with such requirements of chapters 41.56 and  
14 41.59 RCW as may be applicable.

15       (2) School district employees, not licensed under chapter 18.79 or  
16 18.88A RCW, may file a written letter of refusal to perform clean,  
17 intermittent bladder catheterization of students. This written letter  
18 of refusal may not serve as grounds for employee dismissal or  
19 termination of employment.

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

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