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SENATE BILL 6523

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State of Washington 57th Legislature

2002 Regular Session

By Senators McAuliffe, Prentice, Finkbeiner, Johnson, Shin and Rasmussen

Read first time 01/21/2002. Referred to Committee on Education.

1 AN ACT Relating to requiring a physician's medication or treatment  
2 order as a condition for children with life-threatening conditions to  
3 attend public school; and adding a new section to chapter 28A.210 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.210  
6 RCW to read as follows:

7 (1) The attendance of every child at every public school in the  
8 state shall be conditioned upon the presentation before or on each  
9 child's first day of attendance at a particular school of a physician's  
10 medication or treatment order addressing any life-threatening health  
11 condition that requires the child to receive medical services at the  
12 school. Once such an order has been presented, the child shall be  
13 allowed to attend school.

14 (2) The chief administrator of every public school shall prohibit  
15 the further presence at the school for any and all purposes of each  
16 child for whom a physician's medication or treatment order has not been  
17 provided in accordance with this section if the child has a life-  
18 threatening health condition that may require medical services to be  
19 performed at the school and shall continue to prohibit the child's

1 presence until such order has been provided. The exclusion of a child  
2 from a school shall be accomplished in accordance with rules of the  
3 state board of education. Before excluding a child, each school shall  
4 provide written notice to the parents or legal guardians of each child  
5 or to the adults in loco parentis to each child, who is not in  
6 compliance with the requirements of this section. The notice shall  
7 include, but not be limited to, the following: (a) The requirements  
8 established by this section; (b) the fact that the child will be  
9 prohibited from further attendance at the school unless this section is  
10 complied with; and (c) such procedural due process rights as are  
11 established pursuant to this section.

12 (3) The state board of education shall adopt rules under chapter  
13 34.05 RCW that establish the procedural and substantive due process  
14 requirements governing the exclusion of children from public schools  
15 under this section and shall develop in consultation with the  
16 department of health any policies necessary to implement this section.  
17 The rules shall include any requirements under applicable federal laws.

18 (4) As used in this section, "physician's medication or treatment  
19 order" means the authority a registered nurse obtains under RCW  
20 18.79.260(2).

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