

Connecticut State Department of Education
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TO: Superintendents of Schools
School Nurse Supervisors
School Medical Advisors

FROM: George A. Coleman, Associate Commissioner
Division of Teaching and Learning Programs and Services
and
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Health Promotion Consultant

DATE: September 29, 2005

SUBJECT: New Public Acts Concerning School Health Services

During the 2005 legislative session, three new public act were passed that will impact school health services.

P.A. 05-104, An Act Concerning Food Allergies and the Prevention of Life-Threatening Incidents in Schools

This act requires the State Department of Education, in conjunction with the Department of Public Health, to develop and make available to each local and regional board of education, by January, 2006, guidelines for the management of students with life-threatening food allergies. These guidelines will be developed over the next few months with input from school nurses, the medical community, families and other interested parties and disseminated to you. The act requires local and regional boards of education to implement a plan based on the guidelines by July 1, 2006.

Section 2 of P.A. 05-272, An Act Concerning Revisions to Department of Public Health Statutes, amends the asthma reporting requirements under CGS Section 10-206 (f). Beginning October 1, 2005, the asthma reporting is no longer limited to the information recorded on the health assessment form and now is to include information from other sources that document a diagnosis of asthma, such as a medication order.

Section 1 of P.A. 05-144, An Act Concerning the Emergency Use of Cartridge Injectors, amends the Good Samaritan Law and immunizes from civil liability certain trained individuals, including before-and after-school program staff members identified to administer medication with a cartridge injector as described below, who use such cartridge injectors as an emergency first aid response to an allergic reaction.

Section 2 of P.A. 05-144, An Act Concerning the Emergency Use of Cartridge Injectors as amended by **Section 35 of P.A. 05-272, An Act Concerning Revisions to Department of Public Health Statutes**

This section specifies that on the request and written authorization of a parent or guardian of a child attending a before- or after-school program and the written order of specified medical professionals, the

owner or operator of the program shall approve, and provide general supervision to, an identified staff member trained to administer medication with an automatic pre-filled cartridge injector used to deliver epinephrine to the child if the child has a medically diagnosed allergic condition that may require prompt treatment in order to protect the child against serious harm or death.

For the purposes of this law, the definition of a before- and after-school program is: Any educational or recreational **program for children administered in any building or on the grounds of any school by a local board of education or other municipal agency, before or after regular school hours, or both, but does not include a program that is licensed by the Department of Public Health.** It does not include programs operated by private providers that are located in a school setting.

In order to administer the medication, the identified staff person must have a course in first aid offered by the American Red Cross, the American Heart Association, the National Ski Patrol, the Department of Public Health or any director of health **or** be trained in the use of a cartridge injector by a licensed physician, a physician's assistant, advanced practice registered nurse or a registered nurse.

In order to administer such medication, there must be:

- a proper authorization to administer the medication from a physician licensed to practice medicine, a physician's assistant or advanced practice registered nurse; and
- signed parental permission to administer the cartridge injector.

The owner or operator of such a program must approve and provide general supervision to the identified staff member trained to administer medication with a cartridge injector to such a child.

This means that school nurses can provide training to an identified before- and after- school staff member in the administration of a cartridge injector for students with life-threatening medically diagnosed allergic conditions.

According to the Connecticut Board of Examiners of Nurses, the training would not be considered delegation (as in the case of medication administration by unlicensed personnel, such as teachers and principals in the school setting as permitted by CGS Section 10-212a) but rather would be considered a professional activity and the supervision for the staff member would fall to the owner or operator of the before- or after-school program.

If you have any questions or need further information, please contact Cheryl Carotenuti at 860-807-2108 or Cheryl.carotenuti@po.state.ct.us.

GAC:CCc

cc: Dr. Betty J. Sternberg