

AMENDED IN ASSEMBLY JUNE 14, 2000

**SENATE BILL**

**No. 1549**

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**Introduced by Senator Poochigian**

February 17, 2000

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An act to add Sections 49423.5.1 and 49423.6 to the Education Code, relating to school medical personnel.

LEGISLATIVE COUNSEL'S DIGEST

SB 1549, as amended, Poochigian. Education: school personnel: medication.

(1) Existing law requires the State Department of Education and the State Department of Health Services to jointly adopt regulations concerning the assistance of individuals with exceptional needs by qualified health and school personnel.

The bill would require the State Department of Education to review and make recommendations to the state board regarding any needed updates to these regulations on or before June 15, 2001.

(2) Under existing law, any pupil who is required to take, during the regular school day, medication prescribed by a physician, may be assisted by the school nurse or other designated school personnel if the school district receives written instructions from the prescribing physician and written permission from the pupil's parent or legal guardian to have the school administer the medication.

This bill would require the State Department of Education to develop and recommend to the State Board of Education, and the board to adopt, on or before June 15, 2001, regulations

concerning the administration of medication to public school pupils pursuant to those provisions, in consultation with specified representatives *and would prescribe related matters.*

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 49423.5.1 is added to the  
2 Education Code, to read:

3 49423.5.1. On or before June 15, 2001, the State  
4 Department of Education shall review and make  
5 recommendations to the State Board of Education  
6 regarding any needed updates to the regulations adopted  
7 pursuant to subdivision (e) of Section 49423.5.

8 SEC. 2. Section 49423.6 is added to the Education  
9 Code, to read:

10 49423.6. (a) On or before June 15, 2001, the State  
11 Department of Education shall develop and recommend  
12 to the State Board of Education, and the board shall adopt  
13 regulations, regarding the administration of medication  
14 in the public schools pursuant to Section 49423. These  
15 regulations shall be developed in consultation with  
16 *parents*, representatives of the medical and nursing  
17 professions, and other individuals jointly designated by  
18 the Superintendent of Public Instruction, the Advisory  
19 Commission on Special Education established pursuant  
20 to Section 33590, and the Department of Health Services.  
21 *The Board of Registered Nursing may designate a liaison*  
22 *to consult with the Board of Education in the adoption of*  
23 *these regulations.*

24 (b) *Any regulations adopted pursuant to this section*  
25 *shall be limited to addressing a situation where a pupil's*  
26 *parent or legal guardian has initiated a request to have a*  
27 *local educational agency dispense medicine to a pupil,*  
28 *based on the written consent of the pupil's parent or legal*  
29 *guardian, for a specified medicine with a specified*



- 1 *dosage, for a specified period of time, as prescribed by a*
- 2 *physician or other authorized medical personnel.*

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