

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact §§ 8.01-225 and 54.1-3408 of the Code of Virginia, relating to*
3 *law-enforcement officers; administration of naloxone.*

4 [H 1833]
5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That §§ 8.01-225 and 54.1-3408 of the Code of Virginia are amended and reenacted as follows:**
8 **§ 8.01-225. Persons rendering emergency care, obstetrical services exempt from liability.**

9 A. Any person who:

10 1. In good faith, renders emergency care or assistance, without compensation, to any ill or injured
11 person (i) at the scene of an accident, fire, or any life-threatening emergency; (ii) at a location for
12 screening or stabilization of an emergency medical condition arising from an accident, fire, or any
13 life-threatening emergency; or (iii) en route to any hospital, medical clinic, or doctor's office, shall not
14 be liable for any civil damages for acts or omissions resulting from the rendering of such care or
15 assistance.

16 2. In the absence of gross negligence, renders emergency obstetrical care or assistance to a female in
17 active labor who has not previously been cared for in connection with the pregnancy by such person or
18 by another professionally associated with such person and whose medical records are not reasonably
19 available to such person shall not be liable for any civil damages for acts or omissions resulting from
20 the rendering of such emergency care or assistance. The immunity herein granted shall apply only to the
21 emergency medical care provided.

22 3. In good faith and without compensation, including any emergency medical services technician
23 certified by the Board of Health, administers epinephrine in an emergency to an individual shall not be
24 liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of
25 such treatment if such person has reason to believe that the individual receiving the injection is suffering
26 or is about to suffer a life-threatening anaphylactic reaction.

27 4. Provides assistance upon request of any police agency, fire department, rescue or emergency
28 squad, or governmental agency in the event of an accident or other emergency involving the use,
29 handling, transportation, transmission, or storage of liquefied petroleum gas, liquefied natural gas,
30 hazardous material, or hazardous waste as defined in § 10.1-1400 or regulations of the Virginia Waste
31 Management Board shall not be liable for any civil damages resulting from any act of commission or
32 omission on his part in the course of his rendering such assistance in good faith.

33 5. Is an emergency medical care attendant or technician possessing a valid certificate issued by
34 authority of the State Board of Health who in good faith renders emergency care or assistance, whether
35 in person or by telephone or other means of communication, without compensation, to any injured or ill
36 person, whether at the scene of an accident, fire, or any other place, or while transporting such injured
37 or ill person to, from, or between any hospital, medical facility, medical clinic, doctor's office, or other
38 similar or related medical facility, shall not be liable for any civil damages for acts or omissions
39 resulting from the rendering of such emergency care, treatment, or assistance, including but in no way
40 limited to acts or omissions which involve violations of State Department of Health regulations or any
41 other state regulations in the rendering of such emergency care or assistance.

42 6. In good faith and without compensation, renders or administers emergency cardiopulmonary
43 resuscitation (CPR); cardiac defibrillation, including, but not limited to, the use of an automated external
44 defibrillator (AED); or other emergency life-sustaining or resuscitative treatments or procedures which
45 have been approved by the State Board of Health to any sick or injured person, whether at the scene of
46 a fire, an accident, or any other place, or while transporting such person to or from any hospital, clinic,
47 doctor's office, or other medical facility, shall be deemed qualified to administer such emergency
48 treatments and procedures and shall not be liable for acts or omissions resulting from the rendering of
49 such emergency resuscitative treatments or procedures.

50 7. Operates an AED at the scene of an emergency, trains individuals to be operators of AEDs, or
51 orders AEDs, shall be immune from civil liability for any personal injury that results from any act or
52 omission in the use of an AED in an emergency where the person performing the defibrillation acts as
53 an ordinary, reasonably prudent person would have acted under the same or similar circumstances,
54 unless such personal injury results from gross negligence or willful or wanton misconduct of the person
55 rendering such emergency care.

56 8. Maintains an AED located on real property owned or controlled by such person shall be immune

57 from civil liability for any personal injury that results from any act or omission in the use in an
58 emergency of an AED located on such property unless such personal injury results from gross
59 negligence or willful or wanton misconduct of the person who maintains the AED or his agent or
60 employee.

61 9. Is an employee of a school board or of a local health department approved by the local governing
62 body to provide health services pursuant to § 22.1-274 who, while on school property or at a
63 school-sponsored event, (i) renders emergency care or assistance to any sick or injured person; (ii)
64 renders or administers emergency cardiopulmonary resuscitation (CPR); cardiac defibrillation, including,
65 but not limited to, the use of an automated external defibrillator (AED); or other emergency
66 life-sustaining or resuscitative treatments or procedures that have been approved by the State Board of
67 Health to any sick or injured person; (iii) operates an AED, trains individuals to be operators of AEDs,
68 or orders AEDs; or (iv) maintains an AED, shall not be liable for civil damages for ordinary negligence
69 in acts or omissions on the part of such employee while engaged in the acts described in this
70 subdivision.

71 10. Is a volunteer in good standing and certified to render emergency care by the National Ski Patrol
72 System, Inc., who, in good faith and without compensation, renders emergency care or assistance to any
73 injured or ill person, whether at the scene of a ski resort rescue, outdoor emergency rescue, or any other
74 place or while transporting such injured or ill person to a place accessible for transfer to any available
75 emergency medical system unit, or any resort owner voluntarily providing a ski patroller employed by
76 him to engage in rescue or recovery work at a resort not owned or operated by him, shall not be liable
77 for any civil damages for acts or omissions resulting from the rendering of such emergency care,
78 treatment, or assistance, including but not limited to acts or omissions which involve violations of any
79 state regulation or any standard of the National Ski Patrol System, Inc., in the rendering of such
80 emergency care or assistance, unless such act or omission was the result of gross negligence or willful
81 misconduct.

82 11. Is an employee of a school board, authorized by a prescriber and trained in the administration of
83 insulin and glucagon, who, upon the written request of the parents as defined in § 22.1-1, assists with
84 the administration of insulin or administers glucagon to a student diagnosed as having diabetes who
85 requires insulin injections during the school day or for whom glucagon has been prescribed for the
86 emergency treatment of hypoglycemia shall not be liable for any civil damages for ordinary negligence
87 in acts or omissions resulting from the rendering of such treatment if the insulin is administered
88 according to the child's medication schedule or such employee has reason to believe that the individual
89 receiving the glucagon is suffering or is about to suffer life-threatening hypoglycemia. Whenever any
90 employee of a school board is covered by the immunity granted herein, the school board employing him
91 shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the
92 rendering of such insulin or glucagon treatment.

93 12. Is a school nurse, an employee of a school board, an employee of a local governing body, or an
94 employee of a local health department who is authorized by a prescriber and trained in the
95 administration of epinephrine and who provides, administers, or assists in the administration of
96 epinephrine to a student believed in good faith to be having an anaphylactic reaction, or is the prescriber
97 of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or omissions
98 resulting from the rendering of such treatment.

99 13. Is an employee of a provider licensed by the Department of Behavioral Health and
100 Developmental Services, or provides services pursuant to a contract with a provider licensed by the
101 Department of Behavioral Health and Developmental Services, who has been trained in the
102 administration of insulin and glucagon and who administers or assists with the administration of insulin
103 or administers glucagon to a person diagnosed as having diabetes who requires insulin injections or for
104 whom glucagon has been prescribed for the emergency treatment of hypoglycemia in accordance with
105 § 54.1-3408 shall not be liable for any civil damages for ordinary negligence in acts or omissions
106 resulting from the rendering of such treatment if the insulin is administered in accordance with the
107 prescriber's instructions or such person has reason to believe that the individual receiving the glucagon is
108 suffering or is about to suffer life-threatening hypoglycemia. Whenever any employee of a provider
109 licensed by the Department of Behavioral Health and Developmental Services or a person who provides
110 services pursuant to a contract with a provider licensed by the Department of Behavioral Health and
111 Developmental Services is covered by the immunity granted herein, the provider shall not be liable for
112 any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such
113 insulin or glucagon treatment.

114 14. Is an employee of a provider licensed by the Department of Behavioral Health and
115 Developmental Services, or provides services pursuant to a contract with a provider licensed by the
116 Department of Behavioral Health and Developmental Services, who has been trained in the
117 administration of epinephrine and who administers or assists in the administration of epinephrine to a

118 person believed in good faith to be having an anaphylactic reaction in accordance with the prescriber's
119 instructions shall not be liable for any civil damages for ordinary negligence in acts or omissions
120 resulting from the rendering of such treatment.

121 15. In good faith and without compensation, administers naloxone in an emergency to an individual
122 who is experiencing or is about to experience a life-threatening opiate overdose shall not be liable for
123 any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such
124 treatment if such administering person is a participant in a pilot program conducted by the Department
125 of Behavioral Health and Developmental Services on the administration of naloxone for the purpose of
126 counteracting the effects of opiate overdose.

127 16. *Is a first responder, a member of an emergency medical services agency, or a law-enforcement*
128 *officer as defined in § 9.1-101 who has been trained in the administration of naloxone and in good faith*
129 *administers naloxone in an emergency to an individual who is believed to be experiencing or about to*
130 *experience a life-threatening opiate overdose shall be immune from civil liability for any personal injury*
131 *that results from any act or omission in the rendering of such treatment, unless such act or omission*
132 *was the result of gross negligence or willful misconduct.*

133 B. Any licensed physician serving without compensation as the operational medical director for a
134 licensed emergency medical services agency in the Commonwealth shall not be liable for any civil
135 damages for any act or omission resulting from the rendering of emergency medical services in good
136 faith by the personnel of such licensed agency unless such act or omission was the result of such
137 physician's gross negligence or willful misconduct.

138 Any person serving without compensation as a dispatcher for any licensed public or nonprofit
139 emergency services agency in the Commonwealth shall not be liable for any civil damages for any act
140 or omission resulting from the rendering of emergency services in good faith by the personnel of such
141 licensed agency unless such act or omission was the result of such dispatcher's gross negligence or
142 willful misconduct.

143 Any individual, certified by the State Office of Emergency Medical Services as an emergency
144 medical services instructor and pursuant to a written agreement with such office, who, in good faith and
145 in the performance of his duties, provides instruction to persons for certification or recertification as a
146 certified basic life support or advanced life support emergency medical services technician shall not be
147 liable for any civil damages for acts or omissions on his part directly relating to his activities on behalf
148 of such office unless such act or omission was the result of such emergency medical services instructor's
149 gross negligence or willful misconduct.

150 Any licensed physician serving without compensation as a medical advisor to an E-911 system in the
151 Commonwealth shall not be liable for any civil damages for any act or omission resulting from
152 rendering medical advice in good faith to establish protocols to be used by the personnel of the E-911
153 service, as defined in § 58.1-1730, when answering emergency calls unless such act or omission was the
154 result of such physician's gross negligence or willful misconduct.

155 Any licensed physician who directs the provision of emergency medical services, as authorized by
156 the State Board of Health, through a communications device shall not be liable for any civil damages
157 for any act or omission resulting from the rendering of such emergency medical services unless such act
158 or omission was the result of such physician's gross negligence or willful misconduct.

159 Any licensed physician serving without compensation as a supervisor of an AED in the
160 Commonwealth shall not be liable for any civil damages for any act or omission resulting from
161 rendering medical advice in good faith to the owner of the AED relating to personnel training, local
162 emergency medical services coordination, protocol approval, AED deployment strategies, and equipment
163 maintenance plans and records unless such act or omission was the result of such physician's gross
164 negligence or willful misconduct.

165 C. Any communications services provider, as defined in § 58.1-647, including mobile service, and
166 any provider of Voice-over-Internet Protocol service, in the Commonwealth shall not be liable for any
167 civil damages for any act or omission resulting from rendering such service with or without charge
168 related to emergency calls unless such act or omission was the result of such service provider's gross
169 negligence or willful misconduct.

170 Any volunteer engaging in rescue or recovery work at a mine, or any mine operator voluntarily
171 providing personnel to engage in rescue or recovery work at a mine not owned or operated by such
172 operator, shall not be liable for civil damages for acts or omissions resulting from the rendering of such
173 rescue or recovery work in good faith unless such act or omission was the result of gross negligence or
174 willful misconduct. For purposes of this subsection, the term "Voice-over-Internet Protocol service" or
175 "VoIP service" means any Internet protocol-enabled services utilizing a broadband connection, actually
176 originating or terminating in Internet Protocol from either or both ends of a channel of communication
177 offering real time, multidirectional voice functionality, including, but not limited to, services similar to
178 traditional telephone service.

179 D. Nothing contained in this section shall be construed to provide immunity from liability arising out
180 of the operation of a motor vehicle.

181 E. ~~Expired.~~

182 F. For the purposes of this section, the term "compensation" shall not be construed to include (i) the
183 salaries of police, fire, or other public officials or personnel who render such emergency assistance, (ii)
184 the salaries or wages of employees of a coal producer engaging in emergency medical technician service
185 or first aid service pursuant to the provisions of § 45.1-161.38, 45.1-161.101, 45.1-161.199, or
186 45.1-161.263, (iii) complimentary lift tickets, food, lodging, or other gifts provided as a gratuity to
187 volunteer members of the National Ski Patrol System, Inc., by any resort, group, or agency, (iv) the
188 salary of any person who (a) owns an AED for the use at the scene of an emergency, (b) trains
189 individuals, in courses approved by the Board of Health, to operate AEDs at the scene of emergencies,
190 (c) orders AEDs for use at the scene of emergencies, or (d) operates an AED at the scene of an
191 emergency, or (v) expenses reimbursed to any person providing care or assistance pursuant to this
192 section.

193 For the purposes of this section, an emergency medical care attendant or technician shall be deemed
194 to include a person licensed or certified as such or its equivalent by any other state when he is
195 performing services which he is licensed or certified to perform by such other state in caring for a
196 patient in transit in the Commonwealth, which care originated in such other state.

197 Further, the public shall be urged to receive training on how to use CPR and an AED in order to
198 acquire the skills and confidence to respond to emergencies using both CPR and an AED.

199 **§ 54.1-3408. Professional use by practitioners.**

200 A. A practitioner of medicine, osteopathy, podiatry, dentistry, or veterinary medicine or a licensed
201 nurse practitioner pursuant to § 54.1-2957.01, a licensed physician assistant pursuant to § 54.1-2952.1, or
202 a TPA-certified optometrist pursuant to Article 5 (§ 54.1-3222 et seq.) of Chapter 32 shall only
203 prescribe, dispense, or administer controlled substances in good faith for medicinal or therapeutic
204 purposes within the course of his professional practice.

205 B. The prescribing practitioner's order may be on a written prescription or pursuant to an oral
206 prescription as authorized by this chapter. The prescriber may administer drugs and devices, or he may
207 cause drugs or devices to be administered by:

208 1. A nurse, physician assistant, or intern under his direction and supervision;

209 2. Persons trained to administer drugs and devices to patients in state-owned or state-operated
210 hospitals or facilities licensed as hospitals by the Board of Health or psychiatric hospitals licensed by
211 the Department of Behavioral Health and Developmental Services who administer drugs under the
212 control and supervision of the prescriber or a pharmacist;

213 3. Emergency medical services personnel certified and authorized to administer drugs and devices
214 pursuant to regulations of the Board of Health who act within the scope of such certification and
215 pursuant to an oral or written order or standing protocol; or

216 4. A licensed respiratory care practitioner as defined in § 54.1-2954 who administers by inhalation
217 controlled substances used in inhalation or respiratory therapy.

218 C. Pursuant to an oral or written order or standing protocol, the prescriber, who is authorized by
219 state or federal law to possess and administer radiopharmaceuticals in the scope of his practice, may
220 authorize a nuclear medicine technologist to administer, under his supervision, radiopharmaceuticals used
221 in the diagnosis or treatment of disease.

222 D. Pursuant to an oral or written order or standing protocol issued by the prescriber within the
223 course of his professional practice, such prescriber may authorize registered nurses and licensed practical
224 nurses to possess (i) epinephrine and oxygen for administration in treatment of emergency medical
225 conditions and (ii) heparin and sterile normal saline to use for the maintenance of intravenous access
226 lines.

227 Pursuant to the regulations of the Board of Health, certain emergency medical services technicians
228 may possess and administer epinephrine in emergency cases of anaphylactic shock.

229 Pursuant to an order or standing protocol issued by the prescriber within the course of his
230 professional practice, any school nurse, school board employee, employee of a local governing body, or
231 employee of a local health department who is authorized by a prescriber and trained in the
232 administration of epinephrine may possess and administer epinephrine.

233 Pursuant to an order issued by the prescriber within the course of his professional practice, an
234 employee of a provider licensed by the Department of Behavioral Health and Developmental Services or
235 a person providing services pursuant to a contract with a provider licensed by the Department of
236 Behavioral Health and Developmental Services may possess and administer epinephrine, provided such
237 person is authorized and trained in the administration of epinephrine.

238 E. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course
239 of his professional practice, such prescriber may authorize licensed physical therapists to possess and

240 administer topical corticosteroids, topical lidocaine, and any other Schedule VI topical drug.

241 F. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course
242 of his professional practice, such prescriber may authorize licensed athletic trainers to possess and
243 administer topical corticosteroids, topical lidocaine, or other Schedule VI topical drugs; oxygen for use
244 in emergency situations; and epinephrine for use in emergency cases of anaphylactic shock.

245 G. Pursuant to an oral or written order or standing protocol issued by the prescriber within the
246 course of his professional practice, and in accordance with policies and guidelines established by the
247 Department of Health pursuant to § 32.1-50.2, such prescriber may authorize registered nurses or
248 licensed practical nurses under the immediate and direct supervision of a registered nurse to possess and
249 administer tuberculin purified protein derivative (PPD) in the absence of a prescriber. The Department of
250 Health's policies and guidelines shall be consistent with applicable guidelines developed by the Centers
251 for Disease Control and Prevention for preventing transmission of mycobacterium tuberculosis and shall
252 be updated to incorporate any subsequently implemented standards of the Occupational Safety and
253 Health Administration and the Department of Labor and Industry to the extent that they are inconsistent
254 with the Department of Health's policies and guidelines. Such standing protocols shall explicitly describe
255 the categories of persons to whom the tuberculin test is to be administered and shall provide for
256 appropriate medical evaluation of those in whom the test is positive. The prescriber shall ensure that the
257 nurse implementing such standing protocols has received adequate training in the practice and principles
258 underlying tuberculin screening.

259 The Health Commissioner or his designee may authorize registered nurses, acting as agents of the
260 Department of Health, to possess and administer, at the nurse's discretion, tuberculin purified protein
261 derivative (PPD) to those persons in whom tuberculin skin testing is indicated based on protocols and
262 policies established by the Department of Health.

263 H. Pursuant to a written order or standing protocol issued by the prescriber within the course of his
264 professional practice, such prescriber may authorize, with the consent of the parents as defined in
265 § 22.1-1, an employee of a school board who is trained in the administration of insulin and glucagon to
266 assist with the administration of insulin or administer glucagon to a student diagnosed as having diabetes
267 and who requires insulin injections during the school day or for whom glucagon has been prescribed for
268 the emergency treatment of hypoglycemia. Such authorization shall only be effective when a licensed
269 nurse, nurse practitioner, physician, or physician assistant is not present to perform the administration of
270 the medication.

271 Pursuant to a written order issued by the prescriber within the course of his professional practice,
272 such prescriber may authorize an employee of a provider licensed by the Department of Behavioral
273 Health and Developmental Services or a person providing services pursuant to a contract with a provider
274 licensed by the Department of Behavioral Health and Developmental Services to assist with the
275 administration of insulin or to administer glucagon to a person diagnosed as having diabetes and who
276 requires insulin injections or for whom glucagon has been prescribed for the emergency treatment of
277 hypoglycemia, provided such employee or person providing services has been trained in the
278 administration of insulin and glucagon.

279 I. A prescriber may authorize, pursuant to a protocol approved by the Board of Nursing, the
280 administration of vaccines to adults for immunization, when a practitioner with prescriptive authority is
281 not physically present, by (i) licensed pharmacists, (ii) registered nurses, or (iii) licensed practical nurses
282 under the immediate and direct supervision of a registered nurse. A prescriber acting on behalf of and in
283 accordance with established protocols of the Department of Health may authorize the administration of
284 vaccines to any person by a pharmacist, nurse, certified emergency medical technician-intermediate, or
285 emergency medical technician-paramedic under the direction of an operational medical director when the
286 prescriber is not physically present. Emergency medical services personnel shall provide documentation
287 of the vaccines to be recorded in the Virginia Immunization Information System.

288 J. A dentist may cause Schedule VI topical drugs to be administered under his direction and
289 supervision by either a dental hygienist or by an authorized agent of the dentist.

290 Further, pursuant to a written order and in accordance with a standing protocol issued by the dentist
291 in the course of his professional practice, a dentist may authorize a dental hygienist under his general
292 supervision, as defined in § 54.1-2722, to possess and administer topical oral fluorides, topical oral
293 anesthetics, topical and directly applied antimicrobial agents for treatment of periodontal pocket lesions,
294 as well as any other Schedule VI topical drug approved by the Board of Dentistry.

295 In addition, a dentist may authorize a dental hygienist under his direction to administer Schedule VI
296 nitrous oxide and oxygen inhalation analgesia and, to persons 18 years of age or older, Schedule VI
297 local anesthesia.

298 K. Pursuant to an oral or written order or standing protocol issued by the prescriber within the
299 course of his professional practice, such prescriber may authorize registered professional nurses certified
300 as sexual assault nurse examiners-A (SANE-A) under his supervision and when he is not physically

301 present to possess and administer preventive medications for victims of sexual assault as recommended
302 by the Centers for Disease Control and Prevention.

303 L. This section shall not prevent the administration of drugs by a person who has satisfactorily
304 completed a training program for this purpose approved by the Board of Nursing and who administers
305 such drugs in accordance with a prescriber's instructions pertaining to dosage, frequency, and manner of
306 administration, and in accordance with regulations promulgated by the Board of Pharmacy relating to
307 security and record keeping, when the drugs administered would be normally self-administered by (i) an
308 individual receiving services in a program licensed by the Department of Behavioral Health and
309 Developmental Services; (ii) a resident of the Virginia Rehabilitation Center for the Blind and Vision
310 Impaired; (iii) a resident of a facility approved by the Board or Department of Juvenile Justice for the
311 placement of children in need of services or delinquent or alleged delinquent youth; (iv) a program
312 participant of an adult day-care center licensed by the Department of Social Services; (v) a resident of
313 any facility authorized or operated by a state or local government whose primary purpose is not to
314 provide health care services; (vi) a resident of a private children's residential facility, as defined in
315 § 63.2-100 and licensed by the Department of Social Services, Department of Education, or Department
316 of Behavioral Health and Developmental Services; or (vii) a student in a school for students with
317 disabilities, as defined in § 22.1-319 and licensed by the Board of Education.

318 In addition, this section shall not prevent a person who has successfully completed a training
319 program for the administration of drugs via percutaneous gastrostomy tube approved by the Board of
320 Nursing and been evaluated by a registered nurse as having demonstrated competency in administration
321 of drugs via percutaneous gastrostomy tube from administering drugs to a person receiving services from
322 a program licensed by the Department of Behavioral Health and Developmental Services to such person
323 via percutaneous gastrostomy tube. The continued competency of a person to administer drugs via
324 percutaneous gastrostomy tube shall be evaluated semiannually by a registered nurse.

325 M. Medication aides registered by the Board of Nursing pursuant to Article 7 (§ 54.1-3041 et seq.)
326 of Chapter 30 may administer drugs that would otherwise be self-administered to residents of any
327 assisted living facility licensed by the Department of Social Services. A registered medication aide shall
328 administer drugs pursuant to this section in accordance with the prescriber's instructions pertaining to
329 dosage, frequency, and manner of administration; in accordance with regulations promulgated by the
330 Board of Pharmacy relating to security and recordkeeping; in accordance with the assisted living
331 facility's Medication Management Plan; and in accordance with such other regulations governing their
332 practice promulgated by the Board of Nursing.

333 N. In addition, this section shall not prevent the administration of drugs by a person who administers
334 such drugs in accordance with a physician's instructions pertaining to dosage, frequency, and manner of
335 administration and with written authorization of a parent, and in accordance with school board
336 regulations relating to training, security and record keeping, when the drugs administered would be
337 normally self-administered by a student of a Virginia public school. Training for such persons shall be
338 accomplished through a program approved by the local school boards, in consultation with the local
339 departments of health.

340 O. In addition, this section shall not prevent the administration of drugs by a person to (i) a child in
341 a child day program as defined in § 63.2-100 and regulated by the State Board of Social Services or a
342 local government pursuant to § 15.2-914, or (ii) a student at a private school that complies with the
343 accreditation requirements set forth in § 22.1-19 and is accredited by the Virginia Council for Private
344 Education, provided such person (a) has satisfactorily completed a training program for this purpose
345 approved by the Board of Nursing and taught by a registered nurse, licensed practical nurse, doctor of
346 medicine or osteopathic medicine, or pharmacist; (b) has obtained written authorization from a parent or
347 guardian; (c) administers drugs only to the child identified on the prescription label in accordance with
348 the prescriber's instructions pertaining to dosage, frequency, and manner of administration; and (d)
349 administers only those drugs that were dispensed from a pharmacy and maintained in the original,
350 labeled container that would normally be self-administered by the child or student, or administered by a
351 parent or guardian to the child or student.

352 P. In addition, this section shall not prevent the administration or dispensing of drugs and devices by
353 persons if they are authorized by the State Health Commissioner in accordance with protocols
354 established by the State Health Commissioner pursuant to § 32.1-42.1 when (i) the Governor has
355 declared a disaster or a state of emergency or the United States Secretary of Health and Human Services
356 has issued a declaration of an actual or potential bioterrorism incident or other actual or potential public
357 health emergency; (ii) it is necessary to permit the provision of needed drugs or devices; and (iii) such
358 persons have received the training necessary to safely administer or dispense the needed drugs or
359 devices. Such persons shall administer or dispense all drugs or devices under the direction, control, and
360 supervision of the State Health Commissioner.

361 Q. Nothing in this title shall prohibit the administration of normally self-administered drugs by

362 unlicensed individuals to a person in his private residence.

363 R. This section shall not interfere with any prescriber issuing prescriptions in compliance with his
364 authority and scope of practice and the provisions of this section to a Board agent for use pursuant to
365 subsection G of § 18.2-258.1. Such prescriptions issued by such prescriber shall be deemed to be valid
366 prescriptions.

367 S. Nothing in this title shall prevent or interfere with dialysis care technicians or dialysis patient care
368 technicians who are certified by an organization approved by the Board of Health Professions or persons
369 authorized for provisional practice pursuant to Chapter 27.01 (§ 54.1-2729.1 et seq.), in the ordinary
370 course of their duties in a Medicare-certified renal dialysis facility, from administering heparin, topical
371 needle site anesthetics, dialysis solutions, sterile normal saline solution, and blood volumizers, for the
372 purpose of facilitating renal dialysis treatment, when such administration of medications occurs under the
373 orders of a licensed physician, nurse practitioner, or physician assistant and under the immediate and
374 direct supervision of a licensed registered nurse. Nothing in this chapter shall be construed to prohibit a
375 patient care dialysis technician trainee from performing dialysis care as part of and within the scope of
376 the clinical skills instruction segment of a supervised dialysis technician training program, provided such
377 trainee is identified as a "trainee" while working in a renal dialysis facility.

378 The dialysis care technician or dialysis patient care technician administering the medications shall
379 have demonstrated competency as evidenced by holding current valid certification from an organization
380 approved by the Board of Health Professions pursuant to Chapter 27.01 (§ 54.1-2729.1 et seq.).

381 T. Persons who are otherwise authorized to administer controlled substances in hospitals shall be
382 authorized to administer influenza or pneumococcal vaccines pursuant to § 32.1-126.4.

383 U. Pursuant to a specific order for a patient and under his direct and immediate supervision, a
384 prescriber may authorize the administration of controlled substances by personnel who have been
385 properly trained to assist a doctor of medicine or osteopathic medicine, provided the method does not
386 include intravenous, intrathecal, or epidural administration and the prescriber remains responsible for
387 such administration.

388 V. A physician assistant, nurse or a dental hygienist may possess and administer topical fluoride
389 varnish to the teeth of children aged six months to three years pursuant to an oral or written order or a
390 standing protocol issued by a doctor of medicine, osteopathic medicine, or dentistry that conforms to
391 standards adopted by the Department of Health.

392 W. A prescriber, acting in accordance with guidelines developed pursuant to § 32.1-46.02, may
393 authorize the administration of influenza vaccine to minors by a licensed pharmacist, registered nurse,
394 licensed practical nurse under the direction and immediate supervision of a registered nurse, certified
395 emergency medical technician-intermediate, or emergency medical technician-paramedic when the
396 prescriber is not physically present.

397 X. Notwithstanding the provisions of § 54.1-3303 and only for the purpose of participation in pilot
398 programs conducted by the Department of Behavioral Health and Developmental Services, a person may
399 obtain a prescription for a family member or a friend and may possess and administer naloxone for the
400 purpose of counteracting the effects of opiate overdose.

401 *Y. Pursuant to a written order or standing protocol and pursuant to regulations of the Board of*
402 *Health, a prescriber may authorize a first responder, a member of an emergency medical services*
403 *agency, or a law-enforcement officer as defined in § 9.1-101 to possess naloxone and administer*
404 *naloxone to a person who is believed to be experiencing or about to experience a life-threatening opiate*
405 *overdose.*