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## SENATE BILL NO. 1215

Offered January 11, 2017

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A BILL to amend and reenact §§ 8.01-225, 22.1-274.01:1, 22.1-321.1, and 54.1-3408 of the Code of Virginia, relating to public schools; possession of glucagon.

Patron—Stuart

Referred to Committee on Education and Health

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

**1. That §§ 8.01-225, 22.1-274.01:1, 22.1-321.1, and 54.1-3408 of the Code of Virginia are amended and reenacted as follows:**

**§ 8.01-225. Persons rendering emergency care, obstetrical services exempt from liability.**

A. Any person who:

1. In good faith, renders emergency care or assistance, without compensation, to any ill or injured person (i) at the scene of an accident, fire, or any life-threatening emergency; (ii) at a location for screening or stabilization of an emergency medical condition arising from an accident, fire, or any life-threatening emergency; or (iii) en route to any hospital, medical clinic, or doctor's office, shall not be liable for any civil damages for acts or omissions resulting from the rendering of such care or assistance. For purposes of this subdivision, emergency care or assistance includes the forcible entry of a motor vehicle in order to remove an unattended minor at risk of serious bodily injury or death, provided the person has attempted to contact a law-enforcement officer, as defined in § 9.1-101, a firefighter, as defined in § 65.2-102, emergency medical services personnel, as defined in § 32.1-111.1, or an emergency 911 system, if feasible under the circumstances.

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

3. In good faith and without compensation, including any emergency medical services provider who holds a valid certificate issued by the Commissioner of Health, administers epinephrine in an emergency to an individual shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment if such person has reason to believe that the individual receiving the injection is suffering or is about to suffer a life-threatening anaphylactic reaction.

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

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

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

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

65 8. Maintains an AED located on real property owned or controlled by such person shall be immune  
66 from civil liability for any personal injury that results from any act or omission in the use in an  
67 emergency of an AED located on such property unless such personal injury results from gross  
68 negligence or willful or wanton misconduct of the person who maintains the AED or his agent or  
69 employee.

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

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

91 11. Is an employee of (i) a school board, (ii) a school for students with disabilities as defined in  
92 § 22.1-319 licensed by the Board of Education, or (iii) a private school accredited pursuant to § 22.1-19  
93 as administered by the Virginia Council for Private Education and is authorized by a prescriber and  
94 trained in the administration of insulin and glucagon, who, upon the written request of the parents as  
95 defined in § 22.1-1, assists with the administration of insulin or *provides or* administers glucagon to a  
96 student diagnosed as having diabetes who requires insulin injections during the school day or ~~for whom~~  
97 ~~requires glucagon has been prescribed~~ for the emergency treatment of hypoglycemia shall not be liable  
98 for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such  
99 treatment if the insulin is administered according to the child's medication schedule or such employee  
100 has reason to believe that the individual receiving the glucagon is suffering or is about to suffer  
101 life-threatening hypoglycemia. Whenever any such employee is covered by the immunity granted herein,  
102 the school board or school employing him shall not be liable for any civil damages for ordinary  
103 negligence in acts or omissions resulting from the rendering of such insulin or glucagon treatment.

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

110 13. Is an employee of a school for students with disabilities, as defined in § 22.1-319 and licensed by  
111 the Board of Education, or an employee of a private school that is accredited pursuant to § 22.1-19 as  
112 administered by the Virginia Council for Private Education who is authorized by a prescriber and trained  
113 in the administration of epinephrine and who administers or assists in the administration of epinephrine  
114 to a student believed in good faith to be having an anaphylactic reaction, or is the prescriber of the  
115 epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or omissions  
116 resulting from the rendering of such treatment. Whenever any employee is covered by the immunity  
117 granted in this subdivision, the school shall not be liable for any civil damages for ordinary negligence  
118 in acts or omissions resulting from such administration or assistance.

119 14. Is an employee of a provider licensed by the Department of Behavioral Health and  
120 Developmental Services, or provides services pursuant to a contract with a provider licensed by the

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

15. Is an employee of a provider licensed by the Department of Behavioral Health and Developmental Services, or provides services pursuant to a contract with a provider licensed by the Department of Behavioral Health and Developmental Services, who has been trained in the administration of epinephrine and who administers or assists in the administration of epinephrine to a person believed in good faith to be having an anaphylactic reaction in accordance with the prescriber's instructions shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

16. In good faith prescribes, dispenses, or administers naloxone or other opioid antagonist used for overdose reversal in an emergency to an individual who is believed to be experiencing or about to experience a life-threatening opiate overdose shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment if acting in accordance with the provisions of subsection X of § 54.1-3408 or in his role as a member of an emergency medical services agency.

B. Any licensed physician serving without compensation as the operational medical director for an emergency medical services agency that holds a valid license as an emergency medical services agency issued by the Commissioner of Health shall not be liable for any civil damages for any act or omission resulting from the rendering of emergency medical services in good faith by the personnel of such licensed agency unless such act or omission was the result of such physician's gross negligence or willful misconduct.

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

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

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

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

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

C. Any communications services provider, as defined in § 58.1-647, including mobile service, and any provider of Voice-over-Internet Protocol service, in the Commonwealth shall not be liable for any

182 civil damages for any act or omission resulting from rendering such service with or without charge  
183 related to emergency calls unless such act or omission was the result of such service provider's gross  
184 negligence or willful misconduct.

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

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

196 E. For the purposes of this section, "compensation" shall not be construed to include (i) the salaries  
197 of police, fire, or other public officials or personnel who render such emergency assistance; (ii) the  
198 salaries or wages of employees of a coal producer engaging in emergency medical services or first aid  
199 services pursuant to the provisions of § 45.1-161.38, 45.1-161.101, 45.1-161.199, or 45.1-161.263; (iii)  
200 complimentary lift tickets, food, lodging, or other gifts provided as a gratuity to volunteer members of  
201 the National Ski Patrol System, Inc., by any resort, group, or agency; (iv) the salary of any person who  
202 (a) owns an AED for the use at the scene of an emergency, (b) trains individuals, in courses approved  
203 by the Board of Health, to operate AEDs at the scene of emergencies, (c) orders AEDs for use at the  
204 scene of emergencies, or (d) operates an AED at the scene of an emergency; or (v) expenses reimbursed  
205 to any person providing care or assistance pursuant to this section.

206 For the purposes of this section, "emergency medical services provider" shall include a person  
207 licensed or certified as such or its equivalent by any other state when he is performing services that he  
208 is licensed or certified to perform by such other state in caring for a patient in transit in the  
209 Commonwealth, which care originated in such other state.

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

212 **§ 22.1-274.01:1. Students who are diagnosed with diabetes; self-care; possession and**  
213 **administration of glucagon.**

214 A. Each local school board shall permit each enrolled student who is diagnosed with diabetes, with  
215 parental consent and written approval from the prescriber, as that term is defined in § 54.1-3401, to (i)  
216 carry with him and use supplies, including a reasonable and appropriate short-term supply of  
217 carbohydrates, an insulin pump, and equipment for immediate treatment of high and low blood glucose  
218 levels, and (ii) self-check his own blood glucose levels on a school bus, on school property, and at a  
219 school-sponsored activity.

220 *B. By the beginning of the 2018-2019 school year, local school boards shall adopt and implement*  
221 *policies for the possession and administration of glucagon in every school that one or more students*  
222 *diagnosed as having diabetes attend, to be administered by any school nurse, employee of the school*  
223 *board, employee of a local governing body, or employee of a local health department who is authorized*  
224 *by a prescriber and trained in the administration of glucagon to any student diagnosed with diabetes*  
225 *believed to be suffering from or about to suffer from life-threatening hypoglycemia.*

226 **§ 22.1-321.1. Possession and administration of epinephrine and glucagon.**

227 A. By the beginning of the 2016 - 2017 school year, the Board shall promulgate regulations for the  
228 possession and administration of epinephrine in every school for students with disabilities, to be  
229 administered by any employee of the school who is authorized by a prescriber and trained in the  
230 administration of epinephrine to any student believed to be having an anaphylactic reaction.

231 *B. By the beginning of the 2018-2019 school year, the Board shall adopt and implement policies for*  
232 *the possession and administration of glucagon in every school for students with disabilities that one or*  
233 *more students diagnosed as having diabetes attend, to be administered by any employee of the school*  
234 *who is authorized by a prescriber and trained in the administration of glucagon to any student*  
235 *diagnosed with diabetes believed to be suffering from or about to suffer from life-threatening*  
236 *hypoglycemia.*

237 **§ 54.1-3408. Professional use by practitioners.**

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

243 B. The prescribing practitioner's order may be on a written prescription or pursuant to an oral

prescription as authorized by this chapter. The prescriber may administer drugs and devices, or he may cause drugs or devices to be administered by:

1. A nurse, physician assistant, or intern under his direction and supervision;
2. Persons trained to administer drugs and devices to patients in state-owned or state-operated hospitals or facilities licensed as hospitals by the Board of Health or psychiatric hospitals licensed by the Department of Behavioral Health and Developmental Services who administer drugs under the control and supervision of the prescriber or a pharmacist;

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

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

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

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

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

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

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any employee of a school for students with disabilities, as defined in § 22.1-319 and licensed by the Board of Education, or any employee of a private school that is accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

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

Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize pharmacists to possess epinephrine and oxygen for administration in treatment of emergency medical conditions.

E. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize licensed physical therapists to possess and administer topical corticosteroids, topical lidocaine, and any other Schedule VI topical drug.

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

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

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

309 H. Pursuant to a written order or standing protocol issued by the prescriber within the course of his  
310 professional practice, such prescriber may authorize, with the consent of the parents as defined in  
311 § 22.1-1, an employee of (i) a school board, (ii) a school for students with disabilities as defined in  
312 § 22.1-319 licensed by the Board of Education, or (iii) a private school accredited pursuant to § 22.1-19  
313 as administered by the Virginia Council for Private Education who is trained in the administration of  
314 insulin and glucagon to assist with the administration of insulin or *provide or* administer glucagon to a  
315 student diagnosed as having diabetes and who requires insulin injections during the school day or for  
316 whom glucagon ~~has been prescribed~~ *is required* for the emergency treatment of hypoglycemia. Such  
317 authorization shall only be effective when a licensed nurse, nurse practitioner, physician, or physician  
318 assistant is not present to perform the administration of the medication.

319 Pursuant to a written order issued by the prescriber within the course of his professional practice,  
320 such prescriber may authorize an employee of a provider licensed by the Department of Behavioral  
321 Health and Developmental Services or a person providing services pursuant to a contract with a provider  
322 licensed by the Department of Behavioral Health and Developmental Services to assist with the  
323 administration of insulin or to administer glucagon to a person diagnosed as having diabetes and who  
324 requires insulin injections or for whom glucagon has been prescribed for the emergency treatment of  
325 hypoglycemia, provided such employee or person providing services has been trained in the  
326 administration of insulin and glucagon.

327 I. A prescriber may authorize, pursuant to a protocol approved by the Board of Nursing, the  
328 administration of vaccines to adults for immunization, when a practitioner with prescriptive authority is  
329 not physically present, by (i) licensed pharmacists, (ii) registered nurses, or (iii) licensed practical nurses  
330 under the immediate and direct supervision of a registered nurse. A prescriber acting on behalf of and in  
331 accordance with established protocols of the Department of Health may authorize the administration of  
332 vaccines to any person by a pharmacist, nurse, or designated emergency medical services provider who  
333 holds an advanced life support certificate issued by the Commissioner of Health under the direction of  
334 an operational medical director when the prescriber is not physically present. The emergency medical  
335 services provider shall provide documentation of the vaccines to be recorded in the Virginia  
336 Immunization Information System.

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

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

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

347 K. Pursuant to an oral or written order or standing protocol issued by the prescriber within the  
348 course of his professional practice, such prescriber may authorize registered professional nurses certified  
349 as sexual assault nurse examiners-A (SANE-A) under his supervision and when he is not physically  
350 present to possess and administer preventive medications for victims of sexual assault as recommended  
351 by the Centers for Disease Control and Prevention.

352 L. This section shall not prevent the administration of drugs by a person who has satisfactorily  
353 completed a training program for this purpose approved by the Board of Nursing and who administers  
354 such drugs in accordance with a prescriber's instructions pertaining to dosage, frequency, and manner of  
355 administration, and in accordance with regulations promulgated by the Board of Pharmacy relating to  
356 security and record keeping, when the drugs administered would be normally self-administered by (i) an  
357 individual receiving services in a program licensed by the Department of Behavioral Health and  
358 Developmental Services; (ii) a resident of the Virginia Rehabilitation Center for the Blind and Vision  
359 Impaired; (iii) a resident of a facility approved by the Board or Department of Juvenile Justice for the  
360 placement of children in need of services or delinquent or alleged delinquent youth; (iv) a program  
361 participant of an adult day-care center licensed by the Department of Social Services; (v) a resident of  
362 any facility authorized or operated by a state or local government whose primary purpose is not to  
363 provide health care services; (vi) a resident of a private children's residential facility, as defined in §  
364 63.2-100 and licensed by the Department of Social Services, Department of Education, or Department of  
365 Behavioral Health and Developmental Services; or (vii) a student in a school for students with  
366 disabilities, as defined in § 22.1-319 and licensed by the Board of Education.

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

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

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

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

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

Q. Nothing in this title shall prohibit the administration of normally self-administered drugs by unlicensed individuals to a person in his private residence.

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

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

The dialysis care technician or dialysis patient care technician administering the medications shall

428 have demonstrated competency as evidenced by holding current valid certification from an organization  
429 approved by the Board of Health Professions pursuant to Chapter 27.01 (§ 54.1-2729.1 et seq.).

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

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

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

441 W. A prescriber, acting in accordance with guidelines developed pursuant to § 32.1-46.02, may  
442 authorize the administration of influenza vaccine to minors by a licensed pharmacist, registered nurse,  
443 licensed practical nurse under the direction and immediate supervision of a registered nurse, or  
444 emergency medical services provider who holds an advanced life support certificate issued by the  
445 Commissioner of Health when the prescriber is not physically present.

446 X. Notwithstanding the provisions of § 54.1-3303, pursuant to an oral, written, or standing order  
447 issued by a prescriber, and in accordance with protocols developed by the Board of Pharmacy in  
448 consultation with the Board of Medicine and the Department of Health, a pharmacist may dispense  
449 naloxone or other opioid antagonist used for overdose reversal and a person may possess and administer  
450 naloxone or other opioid antagonist used for overdose reversal to a person who is believed to be  
451 experiencing or about to experience a life-threatening opiate overdose. Law-enforcement officers as  
452 defined in § 9.1-101 and firefighters who have completed a training program may also possess and  
453 administer naloxone in accordance with protocols developed by the Board of Pharmacy in consultation  
454 with the Board of Medicine and the Department of Health.