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SENATE BILL NO. 1036

Offered January 8, 2025

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A BILL to amend and reenact §§ 8.01-225, 22.1-274.2, 22.1-274.6, and 54.1-3408 of the Code of Virginia, relating to seizure rescue medications; administration by certain employees; possession by certain students.

Patron—Pekarsky

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That §§ 8.01-225, 22.1-274.2, 22.1-274.6, 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

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59 treatments or procedures.

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

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

70 9. Is an employee of a school board or of a local health department approved by the local governing body
71 to provide health services pursuant to § 22.1-274 who, while on school property or at a school-sponsored
72 event, (i) renders emergency care or assistance to any sick or injured person; (ii) renders or administers
73 emergency cardiopulmonary resuscitation (CPR); cardiac defibrillation, including, but not limited to, the use
74 of an automated external defibrillator (AED); or other emergency life-sustaining or resuscitative treatments or
75 procedures that have been approved by the State Board of Health to any sick or injured person; (iii) operates
76 an AED, trains individuals to be operators of AEDs, or orders AEDs; (iv) maintains an AED; or (v) renders
77 care in accordance with a seizure management and action plan pursuant to § 22.1-274.6, shall not be liable for
78 civil damages for ordinary negligence in acts or omissions on the part of such employee while engaged in the
79 acts described in this 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 place
83 or while transporting such injured or ill person to a place accessible for transfer to any available emergency
84 medical system unit, or any resort owner voluntarily providing a ski patroller employed by him to engage in
85 rescue or recovery work at a resort not owned or operated by him, shall not be liable for any civil damages for
86 acts or omissions resulting from the rendering of such emergency care, treatment, or assistance, including but
87 not limited to acts or omissions which involve violations of any state regulation or any standard of the
88 National Ski Patrol System, Inc., in the rendering of such emergency care or assistance, unless such act or
89 omission was the result of gross negligence or willful misconduct.

90 11. Is an employee of (i) a school board, (ii) a school for students with disabilities as defined in §
91 22.1-319 licensed by the Board of Education, or (iii) a private school accredited pursuant to § 22.1-19 as
92 administered by the Virginia Council for Private Education and is authorized by a prescriber and trained in
93 the administration of insulin and glucagon, who, upon the written request of the parents as defined in § 22.1-1
94 , assists with the administration of insulin or, in the case of a school board employee, with the insertion or
95 reinsertion of an insulin pump or any of its parts pursuant to subsection B of § 22.1-274.01:1 or administers
96 glucagon to a student diagnosed as having diabetes who requires insulin injections during the school day or
97 for whom glucagon has been prescribed for the emergency treatment of hypoglycemia shall not be liable for
98 any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment
99 if the insulin is administered according to the child's medication schedule or such employee has reason to
100 believe that the individual receiving the glucagon is suffering or is about to suffer life-threatening
101 hypoglycemia. Whenever any such employee is covered by the immunity granted herein, the school board or
102 school employing him shall not be liable for any civil damages for ordinary negligence in acts or omissions
103 resulting from the rendering of such insulin or glucagon treatment.

104 12. Is an employee of a public institution of higher education or a private institution of higher education
105 who is authorized by a prescriber and trained in the administration of insulin and glucagon, who assists with
106 the administration of insulin or administers glucagon to a student diagnosed as having diabetes who requires
107 insulin injections or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia
108 shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the
109 rendering of such treatment if the insulin is administered according to the student's medication schedule or
110 such employee has reason to believe that the individual receiving the glucagon is suffering or is about to
111 suffer life-threatening hypoglycemia. Whenever any employee is covered by the immunity granted in this
112 subdivision, the institution shall not be liable for any civil damages for ordinary negligence in acts or
113 omissions resulting from the rendering of such insulin or glucagon treatment.

114 13. Is a school nurse, an employee of a school board, an employee of a local governing body, or an
115 employee of a local health department who is authorized by a prescriber and trained in the administration of
116 epinephrine and who provides, administers, or assists in the administration of epinephrine to a student
117 believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not
118 be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of
119 such treatment.

120 14. Is an employee of a school for students with disabilities, as defined in § 22.1-319 and licensed by the

121 Board of Education, or an employee of a private school that is accredited pursuant to § 22.1-19 as
 122 administered by the Virginia Council for Private Education who is authorized by a prescriber and trained in
 123 the administration of epinephrine and who administers or assists in the administration of epinephrine to a
 124 student believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine,
 125 shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the
 126 rendering of such treatment. Whenever any employee is covered by the immunity granted in this subdivision,
 127 the school shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting
 128 from such administration or assistance.

129 15. Is an employee of a public institution of higher education or a private institution of higher education
 130 who is authorized by a prescriber and trained in the administration of epinephrine and who administers or
 131 assists in the administration of epinephrine to a student believed in good faith to be having an anaphylactic
 132 reaction, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary
 133 negligence in acts or omissions resulting from the rendering of such treatment. Whenever any employee is
 134 covered by the immunity granted in this subdivision, the institution shall not be liable for any civil damages
 135 for ordinary negligence in acts or omissions resulting from such administration or assistance.

136 16. Is an employee of an organization providing outdoor educational experiences or programs for youth
 137 who is authorized by a prescriber and trained in the administration of epinephrine and who administers or
 138 assists in the administration of epinephrine to a participant in the outdoor experience or program for youth
 139 believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not
 140 be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of
 141 such treatment. Whenever any employee is covered by the immunity granted in this subdivision, the
 142 organization shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting
 143 from such administration or assistance.

144 17. Is an employee of a restaurant licensed pursuant to Chapter 3 (§ 35.1-18 et seq.) of Title 35.1, is
 145 authorized by a prescriber and trained in the administration of epinephrine, and provides, administers, or
 146 assists in the administration of epinephrine to an individual believed in good faith to be having an
 147 anaphylactic reaction on the premises of the restaurant at which the employee is employed, or is the
 148 prescriber of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or
 149 omissions resulting from the rendering of such treatment.

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

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

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

175 21. In good faith administers naloxone or other opioid antagonist used for overdose reversal to a person
 176 who is believed to be experiencing or about to experience a life-threatening opioid overdose in accordance
 177 with the provisions of subsection Z of § 54.1-3408 shall not be liable for any civil damages for any personal
 178 injury that results from any act or omission in the administration of naloxone or other opioid antagonist used
 179 for overdose reversal, unless such act or omission was the result of gross negligence or willful and wanton
 180 misconduct.

181 22. Is an employee of a school board, school for students with disabilities as defined in § 22.1-319

182 licensed by the Board of Education, or private school accredited pursuant to § 22.1-19 as administered by the
183 Virginia Council for Private Education who is trained in the administration of injected medications for the
184 treatment of adrenal crisis resulting from a condition causing adrenal insufficiency and who administers or
185 assists in the administration of such medications to a student diagnosed with a condition causing adrenal
186 insufficiency when the student is believed to be experiencing or about to experience an adrenal crisis
187 pursuant to a written order or standing protocol issued by a prescriber within the course of his professional
188 practice and in accordance with the prescriber's instructions shall not be liable for any civil damages for
189 ordinary negligence in acts or omissions resulting from the rendering of such treatment.

190 23. Is a school nurse, a licensed athletic trainer under contract with a local school division, an employee of
191 a school board, an employee of a local governing body, or an employee of a local health department who is
192 authorized by the local health director and trained in the administration of albuterol inhalers and valved
193 holding chambers or nebulized albuterol and who provides, administers, or assists in the administration of an
194 albuterol inhaler and a valved holding chamber or nebulized albuterol for a student believed in good faith to
195 be in need of such medication, or is the prescriber of such medication, shall not be liable for any civil
196 damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

197 24. Is an employee of a public place, as defined in § 15.2-2820, who is authorized by a prescriber and
198 trained in the administration of epinephrine and who administers or assists in the administration of
199 epinephrine to a person present in the public place believed in good faith to be having an anaphylactic
200 reaction, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary
201 negligence in acts or omissions resulting from the rendering of such treatment. Whenever any employee is
202 covered by the immunity granted in this subdivision, the organization shall not be liable for any civil
203 damages for ordinary negligence in acts or omissions resulting from such administration or assistance.

204 25. Is a nurse at an early childhood care and education entity, employee at the entity, or employee of a
205 local health department who is authorized by a prescriber and trained in the administration of epinephrine and
206 who provides, administers, or assists in the administration of epinephrine to a child believed in good faith to
207 be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not be liable for any civil
208 damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

209 26. *Is an employee of (i) a school board, (ii) a school for students with disabilities as defined in §*
210 *22.1-319 licensed by the Board of Education, (iii) a private school accredited pursuant to § 22.1-19 as*
211 *administered by the Virginia Council for Private Education, (iv) a local governing body, or (v) a local health*
212 *department who is trained in the administration of intranasal seizure rescue medications for the treatment of*
213 *seizures resulting from a condition causing acute repetitive seizures or clusters and who administers or*
214 *assists in the administration of such medications to a student diagnosed with a condition causing acute*
215 *repetitive seizures or clusters when the student is believed to be experiencing or about to experience a seizure*
216 *in accordance with subsection BB of § 54.1-3408 and pursuant to a written order or standing protocol issued*
217 *by a prescriber within the course of his professional practice and in accordance with the prescriber's*
218 *instructions shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting*
219 *from the rendering of such treatment.*

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

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

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

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

241 Any licensed physician who directs the provision of emergency medical services, as authorized by the
242 State Board of Health, through a communications device shall not be liable for any civil damages for any act

243 or omission resulting from the rendering of such emergency medical services unless such act or omission was
244 the result of such physician's gross negligence or willful misconduct.

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

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

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

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

265 E. For the purposes of this section, "compensation" shall not be construed to include (i) the salaries of
266 police, fire, or other public officials or personnel who render such emergency assistance; (ii) the salaries or
267 wages of employees of a coal producer engaging in emergency medical services or first aid services pursuant
268 to the provisions of § 45.2-531, 45.2-579, 45.2-863 or 45.2-910; (iii) complimentary lift tickets, food,
269 lodging, or other gifts provided as a gratuity to volunteer members of the National Ski Patrol System, Inc., by
270 any resort, group, or agency; (iv) the salary of any person who (a) owns an AED for the use at the scene of an
271 emergency, (b) trains individuals, in courses approved by the Board of Health, to operate AEDs at the scene
272 of emergencies, (c) orders AEDs for use at the scene of emergencies, or (d) operates an AED at the scene of
273 an emergency; or (v) expenses reimbursed to any person providing care or assistance pursuant to this section.

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

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

280 **§ 22.1-274.2. Possession and administration of inhaled asthma medications, epinephrine, glucagon,
281 and intranasal seizure rescue medications by certain students or school board employees.**

282 A. Local school boards shall develop and implement policies permitting a student with a diagnosis of
283 asthma or anaphylaxis, or both, to possess and self-administer inhaled asthma medications or auto-injectable
284 epinephrine, or both, as the case may be, during the school day, at school-sponsored activities, or while on a
285 school bus or other school property. Such policies shall include, but not be limited to, provisions for:

286 1. Written consent of the parent, as defined in § 22.1-1, of a student with a diagnosis of asthma or
287 anaphylaxis, or both, that the student may self-administer inhaled asthma medications or auto-injectable
288 epinephrine, or both, as the case may be.

289 2. Written notice from the student's primary care provider or medical specialist, or a licensed physician or
290 licensed advanced practice registered nurse, that (i) identifies the student; (ii) states that the student has a
291 diagnosis of asthma or anaphylaxis, or both, and has approval to self-administer inhaled asthma medications
292 or auto-injectable epinephrine, or both, as the case may be, that have been prescribed or authorized for the
293 student; (iii) specifies the name and dosage of the medication, the frequency in which it is to be administered
294 and certain circumstances which may warrant the use of inhaled asthma medications or auto-injectable
295 epinephrine, such as before exercising or engaging in physical activity to prevent the onset of asthma
296 symptoms or to alleviate asthma symptoms after the onset of an asthma episode; and (iv) attests to the
297 student's demonstrated ability to safely and effectively self-administer inhaled asthma medications or auto-
298 injectable epinephrine, or both, as the case may be.

299 3. Development of an individualized health care plan, including emergency procedures for any life-
300 threatening conditions.

301 4. Consultation with the student's parent before any limitations or restrictions are imposed upon a student's
302 possession and self-administration of inhaled asthma medications and auto-injectable epinephrine, and before
303 the permission to possess and self-administer inhaled asthma medications and auto-injectable epinephrine at

304 any point during the school year is revoked.

305 5. Self-administration of inhaled asthma medications and auto-injectable epinephrine to be consistent with
306 the purposes of the Virginia School Health Guidelines and the Guidelines for Specialized Health Care
307 Procedure Manuals, which are jointly issued by the Department of Education and the Department of Health.

308 6. Disclosure or dissemination of information pertaining to the health condition of a student to school
309 board employees to comply with §§ 22.1-287 and 22.1-289 and the federal Family Education Rights and
310 Privacy Act of 1974, as amended, 20 U.S.C. § 1232g, which govern the disclosure and dissemination of
311 information contained in student scholastic records.

312 B. The permission granted a student with a diagnosis of asthma or anaphylaxis, or both, to possess and
313 self-administer inhaled asthma medications or auto-injectable epinephrine, or both, shall be effective for one
314 school year. Permission to possess and self-administer such medications shall be renewed annually. For the
315 purposes of this section, "one school year" means 365 calendar days.

316 C. Local school boards shall adopt and implement policies for the possession and administration of
317 epinephrine in every school, to be administered by any school nurse, employee of the school board, employee
318 of a local governing body, or employee of a local health department who is authorized by a prescriber and
319 trained in the administration of epinephrine to any student believed to be having an anaphylactic reaction.
320 Such policies shall require that at least one school nurse, employee of the school board, employee of a local
321 governing body, or employee of a local health department who is authorized by a prescriber and trained in the
322 administration of epinephrine has the means to access at all times during regular school hours any such
323 epinephrine that is stored in a locked or otherwise generally inaccessible container or area.

324 D. Each local school board shall adopt and implement policies for the possession and administration of
325 undesignated stock albuterol inhalers and valved holding chambers in every public school in the local school
326 division, to be administered by any school nurse, licensed athletic trainer under contract with a local school
327 division, employee of the school board, employee of a local governing body, or employee of a local health
328 department who is authorized by the local health director and trained in the administration of albuterol
329 inhalers and valved holding chambers for any student believed in good faith to be in need of such medication.

330 E. Any local school board may adopt and implement policies for the possession and administration of
331 undesignated nasal or injectable glucagon in each public elementary or secondary school in the local school
332 division, provided that such policies are consistent with the guidance outlined in the most recent revision of
333 the Diabetes Management In School: Manual for Unlicensed Personnel published by the Department and
334 include guidance outlining the following:

335 1. One or more locations in each public elementary or secondary school in the local school division in
336 which doses of such undesignated glucagon shall be stored;

337 2. The conditions under which doses of such undesignated glucagon shall be stored, replaced, and
338 disposed;

339 3. The individuals who are authorized to access and administer doses of such undesignated glucagon in an
340 emergency and training requirements for such individuals; and

341 4. A process for requesting emergency medical services and notifying appropriate personnel immediately
342 after a dose of such undesignated glucagon is administered.

343 F. Any public elementary or secondary school may maintain a supply of nasal or injectable glucagon in
344 any secure location that is immediately accessible to any school nurse or other employee trained in the
345 administration of nasal and injectable glucagon prescribed to the school by a prescriber, as defined in §
346 54.1-3401. Any such school shall ensure that such a supply consists of at least two doses. Any school nurse
347 or other authorized employee who is trained in the administration of nasal and injectable glucagon consistent
348 with the guidance outlined in the most recent revision of the Diabetes Management In School: Manual for
349 Unlicensed Personnel published by the Department may administer nasal or injectable glucagon from
350 undesignated inventory with parental consent and if the student's prescribed glucagon is not available on
351 school grounds or has expired.

352 G. Any school board may accept donations of nasal or injectable glucagon from a wholesale distributor of
353 glucagon or donations of money from any individual to purchase nasal or injectable glucagon for the purpose
354 of maintenance and administration in a public school in the local school division as permitted pursuant to
355 subsection F.

356 *H. Any school board may adopt and implement policies:*

357 1. *Permitting any student enrolled in any elementary or secondary school in the local school division who*
358 *has a diagnosis of a condition causing acute repetitive seizures or clusters to possess intranasal seizure*
359 *rescue medications during the school day, at school-sponsored activities, or while on a school bus or other*
360 *school property if the student's parent has submitted a seizure management and action plan in accordance*
361 *with § 22.1-274.6 that includes written consent of the parent and written approval of the student's primary*
362 *care provider for such self-possession; or*

363 2. *For the administration of intranasal seizure rescue medications to any student enrolled in any*
364 *elementary or secondary school in the local school division who has a diagnosis of a condition causing acute*

365 *repetitive seizures or clusters, consistent with the provisions of subsection BB of § 54.1-3408.*

366 **§ 22.1-274.6. Seizure management and action plan; training.**

367 A. The parent or guardian of a student with a diagnosed seizure disorder may submit to the local school
368 division a seizure management and action plan developed by the student's treating physician for review by
369 school division employees with whom the student has regular contact. The seizure management and action
370 plan shall (i) identify the health care services the student may receive at school or while participating in a
371 school activity, (ii) identify seizure-related medication prescribed to the student that must be administered in
372 the event of a seizure, *including those administered in compliance with subdivision H 2 of § 22.1-274.2 and*
373 *subsection BB of § 54.1-3408*, (iii) evaluate the student's ability to manage and understand his seizure
374 disorder, and (iv) be signed by the student's parent or guardian, the student's treating physician, and the
375 school nurse. Each such seizure management and action plan shall state that (a) such plan is separate from
376 any individualized education program (IEP) or Section 504 Plan that is in place for the student and (b)
377 nothing in such plan shall be construed to abrogate any provision of any IEP or Section 504 Plan that is in
378 place for the student.

379 B. Each local school division shall require all school nurses employed by the division to complete, on a
380 biennial basis, a Board of Education-approved online course of instruction for school nurses regarding
381 treating students with seizures and seizure disorders that includes information about seizure recognition and
382 related first aid. Approved training programs shall be fully consistent with training programs and guidelines
383 developed by the Epilepsy Foundation of America and any successor organization.

384 C. Each local school division shall require all employees whose duties include regular contact with
385 students to complete, on a biennial basis, a Board of Education-approved online course of instruction for
386 school employees regarding treating students with seizures and seizure disorders that includes information
387 about seizure recognition and related first aid. Approved training programs shall be fully consistent with
388 training programs and guidelines developed by the Epilepsy Foundation of America and any successor
389 organization.

390 **§ 54.1-3408. Professional use by practitioners.**

391 A. A practitioner of medicine, osteopathy, podiatry, dentistry, or veterinary medicine, a licensed advanced
392 practice registered nurse pursuant to § 54.1-2957.01, a licensed certified midwife pursuant to § 54.1-2957.04,
393 a licensed physician assistant pursuant to § 54.1-2952.1, or a TPA-certified optometrist pursuant to Article 5
394 (§ 54.1-3222 et seq.) of Chapter 32 shall only prescribe, dispense, or administer controlled substances in good
395 faith for medicinal or therapeutic purposes within the course of his professional practice. A licensed midwife
396 pursuant to § 54.1-2957.7 shall only obtain, possess, and administer controlled substances in good faith for
397 medicinal or therapeutic purposes within the course of his professional practice.

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

- 401 1. A nurse, physician assistant, or intern under his direction and supervision;
- 402 2. Persons trained to administer drugs and devices to patients in state-owned or state-operated hospitals or
403 facilities licensed as hospitals by the Board of Health or psychiatric hospitals licensed by the Department of
404 Behavioral Health and Developmental Services who administer drugs under the control and supervision of
405 the prescriber or a pharmacist;
- 406 3. Emergency medical services personnel certified and authorized to administer drugs and devices
407 pursuant to regulations of the Board of Health who act within the scope of such certification and pursuant to
408 an oral or written order or standing protocol;
- 409 4. Persons who are employed or engaged at a medical care facility, as defined in § 32.1-3, who have a
410 valid emergency medical services provider certification issued by the Board of Health as a requirement of
411 being employed or engaged at the medical care facility within the scope of such certification, pursuant to an
412 oral or written order or standing protocol to administer drugs and devices at the medical care facility; or
- 413 5. A licensed respiratory therapist as defined in § 54.1-2954 who administers by inhalation controlled
414 substances used in inhalation or respiratory therapy.

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

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

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

425 Pursuant to an order or standing protocol issued by the prescriber within the course of his professional

426 practice, any school nurse, school board employee, employee of a local governing body, or employee of a
427 local health department who is authorized by a prescriber and trained in the administration of epinephrine
428 may possess and administer epinephrine.

429 Pursuant to an order or standing protocol that shall be issued by the local health director within the course
430 of his professional practice, any school nurse, licensed athletic trainer under contract with a local school
431 division, school board employee, employee of a local governing body, or employee of a local health
432 department who is authorized by the local health director and trained in the administration of albuterol
433 inhalers and valved holding chambers or nebulized albuterol may possess or administer an albuterol inhaler
434 and a valved holding chamber or nebulized albuterol to a student diagnosed with a condition requiring an
435 albuterol inhaler or nebulized albuterol when the student is believed to be experiencing or about to experience
436 an asthmatic crisis.

437 Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional
438 practice, any employee of a school for students with disabilities, as defined in § 22.1-319 and licensed by the
439 Board of Education, or any employee of a private school that is accredited pursuant to § 22.1-19 as
440 administered by the Virginia Council for Private Education who is authorized by a prescriber and trained in
441 the administration of (a) epinephrine may possess and administer epinephrine and (b) albuterol inhalers or
442 nebulized albuterol may possess or administer an albuterol inhaler or nebulized albuterol to a student
443 diagnosed with a condition requiring an albuterol inhaler or nebulized albuterol when the student is believed
444 to be experiencing or about to experience an asthmatic crisis.

445 Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional
446 practice, any nurse at an early childhood care and education entity, employee at the entity, or employee of a
447 local health department who is authorized by a prescriber and trained in the administration of epinephrine
448 may possess and administer epinephrine.

449 Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional
450 practice, any employee of a public institution of higher education or a private institution of higher education
451 who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer
452 epinephrine.

453 Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional
454 practice, any employee of an organization providing outdoor educational experiences or programs for youth
455 who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer
456 epinephrine.

457 Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional
458 practice, and in accordance with policies and guidelines established by the Department of Health, such
459 prescriber may authorize any employee of a restaurant licensed pursuant to Chapter 3 (§ 35.1-18 et seq.) of
460 Title 35.1 to possess and administer epinephrine on the premises of the restaurant at which the employee is
461 employed, provided that such person is trained in the administration of epinephrine.

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

467 Pursuant to an order or standing protocol issued by the prescriber within the course of his professional
468 practice, any employee of a public place, as defined in § 15.2-2820, who is authorized by a prescriber and
469 trained in the administration of epinephrine may possess and administer epinephrine.

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

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

476 F. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of
477 his professional practice, such prescriber may authorize licensed athletic trainers to possess and administer
478 topical corticosteroids, topical lidocaine, or other Schedule VI topical drugs; oxygen and IV saline for use in
479 emergency situations; subcutaneous lidocaine for wound closure; epinephrine for use in emergency cases of
480 anaphylactic shock; and naloxone or other opioid antagonist for overdose reversal.

481 G. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of
482 his professional practice, and in accordance with policies and guidelines established by the Department of
483 Health pursuant to § 32.1-50.2, such prescriber may authorize registered nurses or licensed practical nurses
484 under the supervision of a registered nurse to possess and administer tuberculin purified protein derivative
485 (PPD) in the absence of a prescriber. The Department of Health's policies and guidelines shall be consistent
486 with applicable guidelines developed by the Centers for Disease Control and Prevention for preventing

487 transmission of mycobacterium tuberculosis and shall be updated to incorporate any subsequently
 488 implemented standards of the Occupational Safety and Health Administration and the Department of Labor
 489 and Industry to the extent that they are inconsistent with the Department of Health's policies and guidelines.
 490 Such standing protocols shall explicitly describe the categories of persons to whom the tuberculin test is to be
 491 administered and shall provide for appropriate medical evaluation of those in whom the test is positive. The
 492 prescriber shall ensure that the nurse implementing such standing protocols has received adequate training in
 493 the practice and principles underlying tuberculin screening.

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

498 H. Pursuant to a written order or standing protocol issued by the prescriber within the course of his
 499 professional practice, such prescriber may authorize, with the consent of the parents as defined in § 22.1-1, an
 500 employee of (i) a school board, (ii) a school for students with disabilities as defined in § 22.1-319 licensed by
 501 the Board of Education, or (iii) a private school accredited pursuant to § 22.1-19 as administered by the
 502 Virginia Council for Private Education who is trained in the administration of insulin and glucagon to assist
 503 with the administration of insulin or administer glucagon to a student diagnosed as having diabetes and who
 504 requires insulin injections during the school day or for whom glucagon has been prescribed for the
 505 emergency treatment of hypoglycemia. Such authorization shall only be effective when a licensed nurse, an
 506 advanced practice registered nurse, a physician, or a physician assistant is not present to perform the
 507 administration of the medication.

508 Pursuant to a written order or standing protocol issued by the prescriber within the course of his
 509 professional practice, such prescriber may authorize an employee of a public institution of higher education
 510 or a private institution of higher education who is trained in the administration of insulin and glucagon to
 511 assist with the administration of insulin or administration of glucagon to a student diagnosed as having
 512 diabetes and who requires insulin injections or for whom glucagon has been prescribed for the emergency
 513 treatment of hypoglycemia. Such authorization shall only be effective when a licensed nurse, an advanced
 514 practice registered nurse, a physician, or a physician assistant is not present to perform the administration of
 515 the medication.

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

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

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

534 Further, pursuant to a written order and in accordance with a standing protocol issued by the dentist in the
 535 course of his professional practice, a dentist may authorize a dental hygienist under his general supervision,
 536 as defined in § 54.1-2722, or his remote supervision, as defined in subsection E or F of § 54.1-2722, to
 537 possess and administer topical oral fluorides, topical oral anesthetics, topical and directly applied
 538 antimicrobial agents for treatment of periodontal pocket lesions, and any other Schedule VI topical drug
 539 approved by the Board of Dentistry.

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

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

548 L. This section shall not prevent the administration of drugs by a person who has satisfactorily completed

549 a training program for this purpose approved by the Board of Nursing and who administers such drugs in
550 accordance with a prescriber's instructions pertaining to dosage, frequency, and manner of administration,
551 and in accordance with regulations promulgated by the Board of Pharmacy relating to security and record
552 keeping, when the drugs administered would be normally self-administered by (i) an individual receiving
553 services in a program licensed by the Department of Behavioral Health and Developmental Services; (ii) a
554 resident of the Virginia Rehabilitation Center for the Blind and Vision Impaired; (iii) a resident of a facility
555 approved by the Board or Department of Juvenile Justice for the placement of children in need of services or
556 delinquent or alleged delinquent youth; (iv) a program participant of an adult day center licensed by the
557 Department of Social Services; (v) a resident of any facility authorized or operated by a state or local
558 government whose primary purpose is not to provide health care services; (vi) a resident of a private
559 children's residential facility, as defined in § 63.2-100 and licensed by the Department of Social Services,
560 Department of Education, or Department of Behavioral Health and Developmental Services; or (vii) a student
561 in a school for students with disabilities, as defined in § 22.1-319 and licensed by the Board of Education.

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

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

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

582 O. In addition, this section shall not prevent the administration of drugs by a person to (i) a child in a child
583 day program as defined in § 22.1-289.02 and regulated by the Board of Education or a local government
584 pursuant to § 15.2-914, or (ii) a student of a private school that is accredited pursuant to § 22.1-19 as
585 administered by the Virginia Council for Private Education, provided such person (a) has satisfactorily
586 completed a training program for this purpose approved by the Board of Nursing and taught by a registered
587 nurse, a licensed practical nurse, an advanced practice registered nurse, a physician assistant, a doctor of
588 medicine or osteopathic medicine, or a pharmacist; (b) has obtained written authorization from a parent or
589 guardian; (c) administers drugs only to the child identified on the prescription label in accordance with the
590 prescriber's instructions pertaining to dosage, frequency, and manner of administration; and (d) administers
591 only those drugs that were dispensed from a pharmacy and maintained in the original, labeled container that
592 would normally be self-administered by the child or student, or administered by a parent or guardian to the
593 child or student.

594 P. In addition, this section shall not prevent the administration or dispensing of drugs and devices by
595 persons if they are authorized by the State Health Commissioner in accordance with protocols established by
596 the State Health Commissioner pursuant to § 32.1-42.1 when (i) the Governor has declared a disaster or a
597 state of emergency, the United States Secretary of Health and Human Services has issued a declaration of an
598 actual or potential bioterrorism incident or other actual or potential public health emergency, or the Board of
599 Health has made an emergency order pursuant to § 32.1-13 for the purpose of suppressing nuisances
600 dangerous to the public health and communicable, contagious, and infectious diseases and other dangers to
601 the public life and health and for the limited purpose of administering vaccines as an approved
602 countermeasure for such communicable, contagious, and infectious diseases; (ii) it is necessary to permit the
603 provision of needed drugs or devices; and (iii) such persons have received the training necessary to safely
604 administer or dispense the needed drugs or devices. Such persons shall administer or dispense all drugs or
605 devices under the direction, control, and supervision of the State Health Commissioner.

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

608 R. This section shall not interfere with any prescriber issuing prescriptions in compliance with his
609 authority and scope of practice and the provisions of this section to a Board agent for use pursuant to

610 subsection G of § 18.2-258.1. Such prescriptions issued by such prescriber shall be deemed to be valid
611 prescriptions.

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

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

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

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

632 V. A physician assistant, nurse, dental hygienist, or authorized agent of a doctor of medicine, osteopathic
633 medicine, or dentistry may possess and administer topical fluoride varnish pursuant to an oral or written order
634 or a standing protocol issued by a doctor of medicine, osteopathic medicine, or dentistry.

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

640 X. Notwithstanding the provisions of § 54.1-3303, pursuant to an oral, written, or standing order issued by
641 a prescriber or a standing order issued by the Commissioner of Health or his designee authorizing the
642 dispensing of naloxone or other opioid antagonist used for overdose reversal in the absence of an oral or
643 written order for a specific patient issued by a prescriber, and in accordance with protocols developed by the
644 Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, a pharmacist, a
645 health care provider providing services in a hospital emergency department, and emergency medical services
646 personnel, as that term is defined in § 32.1-111.1, may dispense naloxone or other opioid antagonist used for
647 overdose reversal and a person to whom naloxone or other opioid antagonist has been dispensed pursuant to
648 this subsection may possess and administer naloxone or other opioid antagonist used for overdose reversal to
649 a person who is believed to be experiencing or about to experience a life-threatening opioid overdose.
650 Law-enforcement officers as defined in § 9.1-101, employees of the Department of Forensic Science,
651 employees of the Office of the Chief Medical Examiner, employees of the Department of General Services
652 Division of Consolidated Laboratory Services, employees of the Department of Corrections designated by the
653 Director of the Department of Corrections or designated as probation and parole officers or as correctional
654 officers as defined in § 53.1-1, employees of the Department of Juvenile Justice designated as probation and
655 parole officers or as juvenile correctional officers, employees of regional jails, school nurses, local health
656 department employees that are assigned to a public school pursuant to an agreement between the local health
657 department and the school board, other school board employees or individuals contracted by a school board
658 to provide school health services, and firefighters may also possess and administer naloxone or other opioid
659 antagonist used for overdose reversal and may dispense naloxone or other opioid antagonist used for
660 overdose reversal pursuant to an oral, written, or standing order issued by a prescriber or a standing order
661 issued by the Commissioner of Health or his designee in accordance with protocols developed by the Board
662 of Pharmacy in consultation with the Board of Medicine and the Department of Health.

663 Notwithstanding the provisions of § 54.1-3303, pursuant to an oral, written, or standing order issued by a
664 prescriber or a standing order issued by the Commissioner of Health or his designee authorizing the
665 dispensing of naloxone or other opioid antagonist used for overdose reversal in the absence of an oral or
666 written order for a specific patient issued by a prescriber, and in accordance with protocols developed by the
667 Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, any person
668 may possess and administer naloxone or other opioid antagonist used for overdose reversal, other than
669 naloxone in an injectable formulation with a hypodermic needle or syringe, in accordance with protocols
670 developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of

671 Health.

672 Y. Notwithstanding any other law or regulation to the contrary, a person who is acting on behalf of an
673 organization that provides services to individuals at risk of experiencing an opioid overdose or training in the
674 administration of naloxone for overdose reversal may dispense naloxone, provided that such dispensing is (i)
675 pursuant to a standing order issued by a prescriber and (ii) in accordance with protocols developed by the
676 Board of Pharmacy in consultation with the Board of Medicine and the Department of Health. If the person
677 acting on behalf of an organization dispenses naloxone in an injectable formulation with a hypodermic needle
678 or syringe, he shall first obtain authorization from the Department of Behavioral Health and Developmental
679 Services to train individuals on the proper administration of naloxone by and proper disposal of a hypodermic
680 needle or syringe, and he shall obtain a controlled substance registration from the Board of Pharmacy. The
681 Board of Pharmacy shall not charge a fee for the issuance of such controlled substance registration. The
682 dispensing may occur at a site other than that of the controlled substance registration provided the entity
683 possessing the controlled substances registration maintains records in accordance with regulations of the
684 Board of Pharmacy. No person who dispenses naloxone on behalf of an organization pursuant to this
685 subsection shall charge a fee for the dispensing of naloxone that is greater than the cost to the organization of
686 obtaining the naloxone dispensed. A person to whom naloxone has been dispensed pursuant to this subsection
687 may possess naloxone and may administer naloxone to a person who is believed to be experiencing or about
688 to experience a life-threatening opioid overdose.

689 Z. A person who is not otherwise authorized to administer naloxone or other opioid antagonist used for
690 overdose reversal may administer naloxone or other opioid antagonist used for overdose reversal to a person
691 who is believed to be experiencing or about to experience a life-threatening opioid overdose.

692 AA. Pursuant to a written order or standing protocol issued by the prescriber within the course of his
693 professional practice, such prescriber may authorize, with the consent of the parents as defined in § 22.1-1, an
694 employee of (i) a school board, (ii) a school for students with disabilities as defined in § 22.1-319 licensed by
695 the Board of Education, or (iii) a private school accredited pursuant to § 22.1-19 as administered by the
696 Virginia Council for Private Education who is trained in the administration of injected medications for the
697 treatment of adrenal crisis resulting from a condition causing adrenal insufficiency to administer such
698 medication to a student diagnosed with a condition causing adrenal insufficiency when the student is believed
699 to be experiencing or about to experience an adrenal crisis. Such authorization shall be effective only when a
700 licensed nurse, an advanced practice registered nurse, a physician, or a physician assistant is not present to
701 perform the administration of the medication.

702 *BB. Pursuant to a written order or standing protocol issued by the prescriber within the course of his*
703 *professional practice, such prescriber may authorize, with the consent of the student's parents as defined in §*
704 *22.1-1, an employee of (i) a school board, (ii) a school for students with disabilities as defined in § 22.1-319*
705 *licensed by the Board of Education, (iii) a private school accredited pursuant to § 22.1-19 as administered by*
706 *the Virginia Council for Private Education, (iv) a local governing body, or (v) a local health department who*
707 *is trained in the administration of intranasal seizure rescue medications for the treatment of seizures*
708 *resulting from a condition causing acute repetitive seizures or clusters to administer such medications to a*
709 *student diagnosed with a condition causing acute repetitive seizures or clusters when the student is believed*
710 *to be experiencing or about to experience a seizure. Such authorization shall be effective only when a*
711 *licensed nurse, an advanced practice registered nurse, a physician, or a physician assistant is not capable of*
712 *reaching the student within the amount of time necessary to effectively perform the administration of the*
713 *medication.*

714 **2. That the Virginia Department of Health shall consult with the Department of Education to update**
715 **the Virginia School Health Guidelines as such agencies deem necessary to provide proper guidance on**
716 **the implementation of the provisions of this act.**