



CDE Releases Emergency Regulations for Unlicensed School Employees to Administer Epilepsy Medication

Following approval by the Office of Administrative Law, the California Department of Education (CDE) has issued emergency regulations regarding the administration of anti-seizure medication to epileptic students by trained, volunteer nonmedical school personnel. The regulations provide guidance on the implementation of Senate Bill (SB) 161, enacted as Education Code section 49414.7, which allows volunteer nonmedical school personnel to administer anti-seizure medications to students under certain conditions. ([See CNB No. 66](#) for a discussion of SB 161.) The emergency regulations are found at California Code of Regulations, title 5, section 620 et seq. and are available on the [CDE's website](#).

The emergency regulations provide specific guidance regarding several issues, including:

- Conditions that must be met before emergency medication is administered to a student (Cal. Code Regs., tit. 5, § 626);
- Categories of health care professionals that may train and supervise volunteer nonmedical school personnel in the administration of anti-seizure medication (*id.*, tit. 5, § 622);
- Detailed description of substantive content required to be included in volunteer training courses (*id.*, tit. 5, §§ 623–25); and
- Instructions to health care professional trainers regarding oversight of volunteer nonmedical school personnel (*id.*, tit. 5, § 627).

The emergency regulations will remain in effect until September 25, 2012, at which time the CDE is required to establish permanent guidelines.

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Although the emergency regulations clarify training procedures and the roles of parents, district administrators, volunteer nonmedical school personnel and healthcare professionals, anti-seizure medications should continue to be administered by a licensed nurse whenever possible. If you have any questions regarding the new emergency guidelines or implementing the new law, please feel free to contact one of our [eight offices](#) located statewide. You can also visit our [website](#) or follow Lozano Smith on [Facebook](#).

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