



Children in School with Specialized Physical Health Care Services Effective January 1, 2007

AB 1667 (Saldana) Chapter 414 amends Section 49423.5 of the Education Code, relating to pupil health. This amendment provides that any individual with exceptional needs who requires specialized physical health care services, during regular schoolday, may be assisted by a certain specified individuals, including designated school personnel.

Section 49423.5 (a) Notwithstanding Section 49422, any individual with exceptional needs who requires specialized physical health care services, during the regular schoolday, may be assisted by any of the following individuals:

- (1) Qualified persons who possess an appropriate credential.
- (2) Qualified designated school personnel trained in the administration of specialized health care if they perform those services under the supervision, as defined in Section 3051.12 of Title 5, CCR, of credentialed school nurse or licensed physician and surgeon in consultation with the physician treating the pupil, to include all of the following:
 - (A) Routine for the pupil.
 - (B) Pose little potential harm for the pupil.
 - (C) Performed with predictable outcomes, as defined in the individualized program of the pupil.
 - (D) Does not require a nursing assessment, interpretation, or decision making by the designated school personnel.
- (b) Specialized health care or other services that require medically related training shall be provided pursuant to the procedure prescribed by Section 49423.
- (c) Persons providing specialized physical health care services shall also demonstrate competence in basic cardiopulmonary resuscitation and shall be knowledgeable of the emergency medical resources available in the community in which the services are provided.
- (d) "Specialized physical health care services" as used in this section, include catheterization, gastric tube feeding, suctioning, or other services that require medically related training.
- (e) Regulations necessary to implement this section shall be developed jointly by the State Department of Education and the State Department of Health Services, and adopted by the state board.
- (f) This section does not diminish or weaken any federal requirement for serving individuals with exceptional needs under the Individuals with Disabilities Education Improvement Act (20 U.S.C. Sect. 1400 et seq.), and its implementing regulations, and under Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Sect 794) and its implementing regulations.
- (g) Nothing in this section affects current state law or regulation regarding medication administration.
- (h) It is the intent of the Legislature that nothing in this section shall cause the placement of individuals with exceptional needs at schoolsites other than those they would attend but for their needs for specialized physical health care services.