



SPONSOR: Rep. Longhurst & Rep. Matthews & Sen. Henry  
Reps. Bentz, Kowalko, Lynn, K. Williams; Sen. Hansen

HOUSE OF REPRESENTATIVES  
149th GENERAL ASSEMBLY

HOUSE BILL NO. 352

AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO NURSING.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 1921, Title 24 of the Delaware Code by making deletions as shown by strike through and  
2 insertions as shown by underline as follows:

3 § 1921. Applicability of chapter.

4 (a) This chapter ~~shall~~ does not apply to the following situations:

5 (10) ~~Administration~~ The administration of prescription or nonprescription ~~medications, other than by~~  
6 ~~injection, medication~~ by child care providers who have successfully completed a state-approved medication training  
7 ~~program, to children program and who administer the medication to a child~~ in child day care homes or child day care  
8 ~~centers regulated by the State under §§ 341-344 of Title 31; provided the Delaware Child Care Act, Subchapter III of~~  
9 Chapter 3 of Title 31.

10 a. Medication may be administered under this paragraph (a)(10) of this section if the child's parent or  
11 legal guardian provides all of the following:

12 1. ~~the medication and written~~ Written permission for the administration of the ~~particular medication~~  
13 ~~has been obtained from the child's parent or legal guardian and further provided medication.~~

14 2. ~~the~~ The medication is in its original container, properly labeled.

15 b. Properly labeled medication shall ~~shall~~ must include instructions for administration of the medication;

SYNOPSIS

This Act permits licensed child care providers, who successfully complete a State-approved medication training, to administer medication to children in their care, including by non-intravenous injection, if a child has a medical need during child care hours that requires it.

This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.