Kansas Administrative Regulations

Department of Health and Environment

Article 4.—Maternal and Child Health—School-Age Programs.

28-4-590. Health-related requirements.

(a) Tobacco use prohibited. Each applicant with a temporary permit and each licensee shall ensure that tobacco products are not used during the hours of operation of the program and while children are in attendance.

(b) Health of individuals working or volunteering in the program.

(1) Each applicant with a temporary permit, each licensee,and each staff member shall be free from physical, mental, and emotional conditions that prevent the individual’s ability to protect the health, safety, and welfare of the children, shall be qualified by sound judgment, and shall demonstrate an understanding of children.

(2) No individual working or volunteering in a program shall be under the influence of alcohol or illegal substances, or impaired due to the use of prescription, nonprescription drugs, or other chemicals.

(3) Each individual working or volunteering in the program shall be free from any infectious or contagious disease, as specified in K.A.R. 28-1-6.

(4) Each applicant with a temporary permit, each licensee, and each staff member who has regular, ongoing contact with children shall attest to that individual's health status on a form supplied by the department or approved by the secretary. The health status form shall indicate if the individual has been exposed to an active case of tuberculosis or has been diagnosed with suspected or confirmed active tuberculosis. Each individual shall update the health status form annually or more often if there is a change in the individual’s health status or if the individual has been exposed to an active case of tuberculosis.

(c) Tuberculosis testing. Compliance with the tuberculosis prevention and control program of the department shall be required following each exposure to active tuberculosis disease.

(d) Health of children.

(1) Each applicant with a temporary permit and each licensee shall obtain the following health information for each child:

(A) Any known allergies; and

(B) any known medical conditions that may affect the child while in attendance.

(2) Each applicant with a temporary permit and each licensee shall require that each child attending the program has current medically appropriate immunizations as specified in K.A.R. 28-1-20 or has an exemption for religious or medical reasons.

(3) An exemption from immunization requirements shall be granted if one of the following is obtained:

(A) A written statement, submitted on a form supplied by the department and signed by a parent or guardian of the child, that such immunization violates sincerely held religious beliefs of the parent or guardian; or

(B) a certification from a licensed physician that the physical condition of the child is such that immunizations would endanger the child's life or health.

(4) Each child who is currently attending or who had attended in the preceding school year a public or accredited non-public school in Kansas shall not be required to provide documentation of current immunizations or exemptions from immunizations.

(e) Administration of medication.

(1) Nonprescription medication. If nonprescription medication is to be administered during the time children are attending the program, eachapplicant with a temporary permit and each licensee shall ensure compliance with the following procedures:

(A) Obtain written permission from the child's parent or other adult responsible for the child before administering nonprescription medication to that child;

(B) administer each medication from the original container and according to instructions on the label; and

(C) require that each nonprescription medication supplied by a parent or other adult responsible for the child be in the original container that is labeled with the first and last name of the child for whom the medication is intended.

(2) Prescription medication. If prescription medication is administered during the time children are attending the program, each applicant with a temporary permit and each licensee shall ensure compliance with the following procedures:

(A) Obtain written permission from the child's parent or other adult responsible for the child before administering prescription medication to that child;

(B) administer medication ordered by a licensed physician, licensed nurse practitioner, or physician assistant only to the designated child and in the dosage recommended;

(C) keep each prescription medication in the original container labeled by a pharmacist with the following information:

(i) The first and last name of the child;

(ii) the date the prescription was filled;

(iii) the name of the licensed physician, licensed nurse practitioner, or physician assistant who wrote the prescription;

(iv) the expiration date of the medication; and

(v) specific, legible instructions for administration and storage of the medication;

(D) consider the instructions on each label to be the order from the licensed physician, licensed nurse practitioner, or physician assistant; and

(E) administer the medication in accordance with the instructions on the label.

(3) Requirements for administering medication.

(A) If nonprescription or prescription medication is administered, each applicant with a temporary permit and each licensee shall designate staff members to administer the medication. Before administering medication, each staff member shall receive training in medication administration approved by the secretary.

(B) Each applicant with a temporary permit and each licenseeshall record in the file of each child who receives or is scheduled to receive medication the following identifying information, on forms supplied by the department:

(i) The name of each staff member who administered each medication;

(ii) the date and time the medication was given;

(iii) any change in the child's behavior, response to the medication, or adverse reaction; and

(iv) any change in the administration of the medication from the instructions on the label or a notation about each missed dose.

(C) Each record shall be signed by the individual who was responsible for administering the medication, and a copy of the record shall be made available to the parent or other adult responsible for the child.

(4) Storage of medication. Eachapplicant with a temporary permit and each licenseeshall keep all medication at the recommended temperature and, except as specified in paragraph (e)(5)(D), in locked storage. Each medication container shall have a child-protective cap.

(5) Self-administration of medication.

(A) Any applicant with a temporary permit or licensee may permit each child with a chronic illness, a condition requiring prescription medication on a regular basis, or a condition requiring the use of an inhaler to administer the medication under visual staff supervision. The applicant with a temporary permit or licensee shall obtain written permission for the child to self-administer medication from the child's parent or other adult responsible for the child, and from the licensed physician, licensed nurse practitioner, or physician assistant treating the condition of the child.

(B) Written permission for self-administration of medication shall be kept in the child's file.

(C) Self-administration of each medication shall follow the procedures specified in paragraphs (e)(2)(B), (C), (D), and (E).

(D) Each child who is authorized to self-administer medication shall have immediate access to that child's medication for administration purposes. Each applicant with a temporary permit and each licensee shall safely store each medication to prevent unauthorized access.

(E) Each applicant with a temporary permit and each licensee shall record the date and time each medication was self-administered.

(f) Health care practices.

(1) Hand washing.

(A) Each applicant with a temporary permit and each licensee shall encourage each child to wash the child's hands with soap and water when visibly dirty, after feeding or handling any animal, before and after eating, and after toileting.

(B) Each staff member shall wash the staff member's hands with soap and water when visibly dirty, after feeding or handling any animal, before administering medication, before and after eating, and after toileting.

(C) Hands shall be dried with an individual towel, paper towel, or similar disposable product. When soap and running water are not readily available, an alcohol-based hand sanitizer may be used.

(2) Each staff member shall be attentive to the health status of each child and shall take precautions to prevent the following:

(A) Dehydration;

(B) heat exhaustion;

(C) sunburn;

(D) frostbite;

(E) allergic reactions; and

(F) other preventable conditions hazardous to a child's health.

(Authorized by K.S.A. 2025 Supp. 65-508; implementing K.S.A. 65-507 and K.S.A. 2025 Supp. 65-508; effective, T-28-4-1-02, April 1, 2002; effective Jan. 10, 2003; amended, T-28-3-19-04, March 19, 2004; amended Sept. 10, 2004; amended Sept. 4, 2026.)

***** Authenticated Kansas Administrative Regulation *****