



FEDERATION OF CHILD CARE CENTERS OF ALABAMA INC.

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*Sample Article about Alabama Act 2004-538 (Baby Douglas Law)
for Inclusion in Organizational Newsletters*

Important New Legislation Regarding Child Medication

All persons who care for children should know about recent legislation regarding the administration of medication to children. The Alabama law (known as the Baby Douglas Law) seeks to protect children by preventing the use of medications to drug children or alter their behavior beyond what is medically prescribed. It also seeks to protect the health, safety, and welfare of children.

Compliance with the law is not as simple as first appears. Every day situations arise in child care that leave children vulnerable and care givers at risk of violating the law. First of all, medication is a term that includes a broad range of drugs, powders, ointments, and repellents. Second, the law requires that care givers administer only medications that are prescribed by a doctor or that are appropriate for the age of the child. No sibling medication, or expired medication is allowed. Giving a portion of an adult pill is a violation. While the law doesn't replace the parental permission for medication required by the Department of Human Resources, it may limit or prohibit some parental directives in giving medication.

The law applies to all persons who care for children: care givers, teachers, staff, and boards of both licensed and statutorily exempt child care facilities. Because of its scope, the law also requires the cooperation of parents, doctors, and pharmacists. Healthy children are everybody's business.

Care givers are encouraged to seek advice from competent, knowledgeable attorneys about adjusting their policies and procedures for medication. Awareness of the law is also useful for parents who expect their child care givers to administer medication.

More information can be obtained from the Federation of Child Care Centers of Alabama (FOCAL), PO Box 214, Montgomery, AL 36101, phone 800-300-0232. An informational video featuring an interview with attorney James Long of the Department of Human Resources is also available from the FOCAL Office.

Let's keep our children healthy, our child care safe, and our communities strong.