



healthy children—everybody's business

It's up to us to work together to keep our children healthy, our child care safe, and our communities strong.

Mind the Meds Public Awareness Campaign sponsored by the Federation of Child Care Centers of Alabama (FOCAL)

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CHILDREN, LIKE ALL OF US, get their fair share of coughs and colds and fevers. Some children suffer from chronic conditions like diabetes and epilepsy. Whatever their illnesses, children depend on adults to provide the medications to help them return to health.

Our **responsibility**, as adults, is to administer medication to children accurately and responsibly. A new Alabama Law, Act 2004-538, addresses the safe medication of children in child care facilities of all kinds—public and private, licensed and unlicensed. The new law, also known as the **Baby Douglas Law**, focuses on giving children only medications that are prescribed by a doctor or that are appropriate for the age of the child. The law also addresses following instructions precisely on the dosages of medication to be given to children.

The administration of medication to a child is a serious responsibility. Failure to comply with the law has serious mandatory consequences, including fines and imprisonment.

The law was enacted to **protect children** from over-medication and careless medication. The law has implications for a broad array of people: doctors, pharmacists, child care givers, and parents. Complying with the law requires changes in responses and practices. Care givers, especially, may have to adjust medication policies and procedures with staff and parents. Parents must understand the legal limitations that may prohibit care givers from responding to parental instructions for medication.

Implications

- Medication is a very broad term that encompasses: drugs, powders, ointments, drops, cream, insect repellents, and sun screen.
- Doctors must be precise in specifying times and dosages for medication. "As needed" is not sufficient.
- Pharmacists may be asked by parents to bottle labeled medications in two separate containers: one for home and one for the child care facility.
- Parents may not ask a care giver to use a sibling's medication for a child or to administer a dosage other than indicated on the label.
- Care givers must train staff in precise medication procedures.
- The Americans with Disabilities Act may preclude a child care facility from eliminating the administration of medication entirely.
- Child care givers are encouraged to seek advice from competent, knowledgeable attorneys.
- Alabama Act 2004-538 functions in conjunction with, and does not replace, DHR Regulations for the Administration of Medication. Compliance with DHR regulations does not ensure compliance with the new law.