

## Medication Administration Procedure for Legally Unregistered Provider and/or In-Home Care Provider

Administering medication to children in care without written consent of the child's parent or legal guardian is illegal. In accordance with MCA 52-2-736 a Legally Unregistered Provider and/or In-Home Care Provider must follow these guidelines for Medication Administration.

- 1) A parent or legal guardian must sign the **Medication Authorization Form** for each medication, prescription or non-prescription before a provider can administer the medication. A parent or legal guardian must sign a form for each medication for each child in care prior to the medication being administered by the provider.
- 2) The provider must log the medication they administer on the **Medication Administration Log**. This must be done each time the provider administers medication, prescription or non-prescription. A log must be kept for each medication as well as for each child.
- 3) If a provider administers a medication inappropriately or under any other unusual circumstance they must complete a **Medication Error/Incident Report**. They must also note the occurrence in the comment section of the log. The provider must notify the parent or legal guardian of the incident immediately.

*Note: These forms are to be kept on file at the provider's residence.*

Administering medication without parental consent is allowed in the following circumstance:

A medical practitioner emergency services provider or 911 responder verbally directs the LUP/LUI provider to administer a specific medication. The child is then transported to a health care facility or medical practitioner for follow-up care within a reasonable time by the child's' parents, by the LUP/LUI provider (with permission from parents to transport), or emergency services provider.

Violation of this policy is subject to penalty under MCA 52-2-736. The penalty is defined in MCA 52-2-736 (4) (a) and (4) (b):

"A person convicted of purposely or knowingly administering medicine without authorization resulting in bodily injury to a child shall be imprisoned in the county jail for a term not to exceed 6 months or be fined an amount not to exceed \$500, or both. A person convicted of purposely or knowingly administering medicine without authorization resulting in serious bodily injury to a child or in the death of a child shall be imprisoned for a term not to exceed 20 years or be fined an amount not to exceed \$50,000, or both."

For further information about giving medication to a child in your care contact:

- The County Public Health Department
- Pediatrician
- Or visit the American Academy of Pediatrics web site at [www.aap.org](http://www.aap.org)

Keep this packet at your home and use only in the event that the child you are providing care for begins using medication.  
**These forms are NOT to be returned to The Nurturing Center**