

Childcare State Laws and Regulations

This information was prepared by the Legal Advocacy division of the American Diabetes Association® (ADA), a national leader in diabetes information and advocacy. This information covers state rules for childcare providers and may not include all the relevant rules and important details. While the ADA strives to provide current information, laws and resources can frequently change. This information is not legal advice and professional legal advice should be sought as needed.

Childcare laws and regulations in each state specify if and how the administration of medication can take place in childcare settings. Below is a summary of the relevant regulations for the administration of insulin and administration of glucagon in the childcare setting per state. Regardless of state law, federal laws may also allow unlicensed staff to provide this care. This may be necessary so that children with diabetes can access childcare facilities just like any other child. In case of a conflict between federal and state laws, federal laws protect the rights of children. The law in this area is very complicated so we encourage you to contact us for further information.

*** Updated September 2024

State	Can non-medical professionals administer glucagon (i.e. childcare staff)?	Can non-medical professionals administer insulin (i.e. childcare staff)?
Alabama	Yes. Glucagon administration must be ordered and authorized by child's health professional.	Yes. Insulin administration must be ordered and authorized by child's health professional.
	Ala. Admin. Code r. 660-5-26-.04(6)(a)(2)(i-vi) (2024)	Ala. Admin. Code r. 660-5-26-.04(6)(a)(6)(i-vi) (2024)
Alaska	Yes. Must have written permission from the parent and follow written health professional's orders.	Yes. Must have written permission from the parent and follow written health professional's orders.
	Child Care Licensing Policies and Procedures Manual § 6080.3A(2) (2020)	Child Care Licensing Policies and Procedures Manual §6080.3A(2) (2020)
Arizona	Yes. In an emergency, an individual may give an injection (glucagon) to an enrolled child.	Yes. A designated staff member can administer insulin if they receive written authorization on a completed Department authorization form and have written physician authorization.
	Ariz. Admin. Code § 9-3-309(B-C) (2024)	Ariz. Admin. Code § 9-3-309(B-C) (2024)
Arkansas	Yes. Must have signed parental permission. Enrolled children with diabetes must have a care plan that is updated yearly.	Yes. Must have signed parental permission. Enrolled children with diabetes must have a care plan that is updated yearly.
	016-22-20 Ark. Code R. § 5(1101)(7,15) (2024)	016-22-20 Ark. Code R. § 5(1101)(7,15) (2024)

California	Yes. Must have signed approval and instructions from child's parent/guardian. Childcare provider must have written plan for medication administration.	Yes. Must have signed approval and instructions from child's parent/guardian. Childcare provider must have written plan for medication administration.
	Cal. Code Regs. Tit. 22, § 101226(e)(3) (2024)	Cal. Code Regs. Tit. 22, § 101226(e)(3) (2024)
Colorado	Yes. A nurse or other authorized health professional may delegate glucagon administration to someone within a childcare facility. The child must have an individualized health plan.	Yes. A nurse or other authorized health professional may delegate insulin administration to someone within a childcare facility. The child must have an individualized health plan.
	Colo. Code. Regs. Chap. 3 §716-1 Sub-Chap. 13 § 8 (2024)	Colo. Code. Regs. Chap. 3 §716-1 Sub-Chap. 13 § 8 (2024)
Connecticut	Yes. Must have staff trained in glucagon administration at all times child is present.	Yes. Must have written order from physician or other licensed health provider.
	Conn. Gen. Stat. § 19a-79(a) (2024)	Conn. Gen. Stat. § 19a-79(a) (2024)
Delaware	Yes. Written parental permission needed. There must be a trained staff member with an administration of medication certificate at all times.	Yes. Written parental permission needed. There must be a trained staff member with an administration of medication certificate at all times.
	14 Delaware Code, §3003A (2022); Del. Dept. of Educ., <i>Delacare: Regulations for Family and Large Family Child Care Homes</i> (2022)	14 Delaware Code, §3003A (2022); Del. Dept. of Educ., <i>Delacare: Regulations for Family and Large Family Child Care Homes</i> (2022)
Florida	Yes. Childcare personnel caring for a child with a chronic condition must be trained to recognize and respond to medical emergencies.	Yes, but not required. If the facility does give medication must have written parental authorization.
	Fla. Admin. Code R. 65C-22.001(6) (2024) (cites to handbook (2020))	Fla. Admin. Code R. 65C-22.001(6) (2024) (cites to handbook (2020))
Georgia	Yes. Must have written parental or physician permission.	Yes. Must be administered by authorized staff member and must have written parental or physician permission.
	Ga. Comp. R. & Regs. R. 591-1-1-.20 (2024)	Ga. Comp. R. & Regs. R. 591-1-1-.20(6) (2024)
Hawaii	Yes. Facilities must provide for the special needs of admitted children. Must have written permission from parent for medication.	Yes. Facilities must provide for the special needs of admitted children. Must have written permission from parent for medication.
	HI Admin Rules 17-891.2-45 (2023)	HI Admin Rules 17-891.2-45 (2023)
Idaho	Yes. May only be administered by staff member authorized by parent	Yes. May only be administered by staff member authorized by parent.
	Child Care Provider Manual: A Guide for Child Care Professional's in Idaho (2024)	Child Care Provider Manual: A Guide for Child Care Professional's in Idaho (2024)
Illinois	Yes. Must administer medications according to specific parental written instructions	Yes. Must administer medications according to specific parental written instructions
	Ill. Admin. Code tit. 89, § 406.14	Ill. Admin. Code tit. 89, § 406.14

Indiana	Yes. Must have written permission from parents and instructions.	Yes. Must have written permission from parents and instructions.
	470 IAC 3-1.1-44(f) (2024)	470 IAC 3-1.1-44(f) (2024)
Iowa	Yes. Staff member must have completed training that includes medication administration.	Yes. Staff member must have completed training that includes medication administration.
	441 IAC 109.10(3) (2024)	441 IAC 109.10(3) (2024)
Kansas	Yes. Must have completed medication administration training and have written permission from parent. Must have procedures to meet the needs of child with chronic medical condition (i.e. giving glucagon/emergency care)	Yes. Must have completed medication administration training and have written permission from parent. Must have procedures to meet the needs of child with chronic medical condition (i.e. giving insulin)
	KS Dept. of Health and Env. Licensing Preschools and Childcare Centers (2024)	KS Dept. of Health and Env. Licensing Preschools and Childcare Centers (2024)
Kentucky	Yes. Must have written request from parent or health professional.	Yes. Must have written request from parent or health professional.
	922 KAR 2:120 § 7(4-6) (2024)	922 KAR 2:120 § 7(4-6) (2024)
Louisiana	Yes. Must have written permission from parent and signed plan of action for emergency medication administration.	Yes. Must have written permission from parent.
	La. Admin. Code tit. 28 pt. CLXI § 1917(K) (2024)	La. Admin. Code tit. 28 pt. CLXI § 1917(A) (2024)
Maine	Yes. Must have written, signed, and dated permission from parent.	Yes. Must have written, signed, and dated permission from parent.
	10-148-32 Me. Code R. § 12(K) (2024)	10-148-32 Me. Code R. § 12(H) (2024)
Maryland	Yes. Must have signed parental permission and approval by licensed health practitioner. Employee must have completed medication administration training.	Yes. Must have signed parental permission and approval by licensed health practitioner. Employee must have completed medication administration training.
	Md. Code Regs. 13A.16.11.04 (2024)	Md. Code Regs. 13A.16.11.04 (2024)
Massachusetts	Yes. Employee must be trained to administer medication. Must have written parental consent and health care practitioner authorization.	Yes. Employee must be trained to administer medication. Must have written parental consent and health care practitioner authorization.
	606 Mass. Code Reg. § 7.11(1-2) (2024)	606 Mass. Code Reg. § 7.11(1-2) (2024)
Michigan	Yes. Must have written parental permission	Yes. Must have written parental permission.
	Mich. Admin. Code R. 400.8152	Mich. Admin. Code R. 400.8152
Minnesota	Yes. Must have written parental permission and written health practitioner instructions. Must have emergency plan for accommodating child with diabetes.	Yes. Facilities are not required to administer medication. If chooses to administer, must have written parental permission and written health practitioner instructions.
	Minn. Stat. § 245H.15(1)(b)(4) (2023)	Minn. Admin. Rules § 9503.01340
Mississippi	Yes. Facilities must have health and emergency procedures which include giving a child medication like glucagon. Must have signed parental authorization.	Yes. Facilities are not required to administer medicine, but capable staff may choose to. Must have signed parental authorization.

	15 Miss. Code R. § 11-55-1.4.1(4)(c) (2024)	15 Miss. Code R. § 11-55-1.4.1(4)(c) (2024) & 15 Miss. Code R. § 11-55-1.5.1(2)(b) (2024)
Missouri	Yes. Must have written parental permission. Childcare provider must follow parent's written instructions for medical emergency (give glucagon)	Yes. Not required to administer medicine but may choose to do so. Must have written parental permission.
	Mo. Code Regs. tit. 5 § 25-400.185(5)(A)(2023)	Mo. Code Regs. tit. 5 § 25-400.090(1)(A)(1) (2023)
Montana	Yes. May administer without parental authorization if an emergency	Yes. Must have written parental authorization
	Mont. Code Ann. § 52-2-736(2) (2023)	Mont. Code Ann. § 52-2-736(1) (2023)
Nebraska	Yes. Must have written parental permission and instructions and a written authorization statement from the prescribing health professional	Yes. Must have written parental permission and instructions and a written authorization statement from the prescribing health professional
	91 Neb. Admin. Code, ch. 3, § 006.27 (2024)	391 Neb. Admin. Code, ch. 3, § 006.27 (2024)
Nevada	Yes. In an emergency any capable staff can administer. Must have parental authorization.	Yes. Must have parental authorization. Must have designated person to be trained and administer medication.
	Nev. Admin. Code § 432A.376 (2023) & Nev. Admin. Code § 432A.585 (2023)	Nev. Admin. Code § 432A.376 (2023) & Nev. Admin. Code § 432A.585 (2023)
New Hampshire	Yes. Authorized staff may administer medication if there is a medical order from a licensed practitioner and written permission from a parent.	Yes. Authorized staff may administer medication if there is a medical order from a licensed practitioner and written permission from a parent. Insulin must be readily accessible to childcare staff
	N.H. Code Admin. R. He-C 4002.21(a) (2024)	N.H. Code Admin. R. He-C 4002.21(p) (2024)
New Jersey	Yes. There must be two trained staff members present to provide diabetes care. Must have written approval from parent(s).	Yes. There must be two trained staff members present to provide diabetes care. Must have written approval from parent(s).
	N.J. Admin. Code § 3A:52-7.5(a)(8) (2024)	N.J. Admin. Code § 3A:52-7.5(a)(8) (2024)
New Mexico	Yes. Must have a designated staff member to administer medication.	Yes. Must have a designated staff member to administer medication.
	N.M. Code R. §§ 8.9.4.22(E)(2) (2024)	N.M. Code R. §§ 8.9.4.22(E)(2) (2024)
New York	Yes. Childcare provider may choose to administer medication. May administer insulin injections if the parent, childcare provider and the child's health care provider have agreed on a treatment plan. Childcare provider must confer and get authorization from healthcare consultant and complete required training.	Yes. Childcare provider may choose to administer medication. May administer insulin injections if the parent, childcare provider and the child's health care provider have agreed on a treatment plan. Childcare provider must confer and get authorization from healthcare consultant and complete required training.
	N.Y. Comp. Codes R. & Regs. tit. 18 § 415.13(c)(1) (2024)	N.Y. Comp. Codes R. & Regs. tit. 18 § 415.13(c)(1) (2024)

North Carolina	Yes. Children with diabetes must have a medical action plan with diabetes care instructions, including glucagon administration by staff.	Yes. Children with diabetes must have a medical action plan with diabetes care instructions, including insulin administration by staff.
	10A N.C. Admin. Code 9.0801(b) & 9.0803 (2024)	10A N.C. Admin. Code 9.0801(b) & 9.0803 (2024)
North Dakota	Yes. Must have written permission from parent. Must have written diabetes care plan.	Yes. Must have written permission from parent. Must have written diabetes care plan
	N.D. Admin. Code 75-03-09-25(1) (2024)	N.D. Admin. Code 75-03-09-25(1) (2024)
Ohio	Yes. Must have signed parental permission. If medication is not in the original container, must have the prescriber sign authorization.	Yes. Must have signed parental permission. If medication is not in the original container, must have the prescriber sign authorization.
	Ohio Admin. Code 5101:2-12-16(A)(1) (2024)	Ohio Admin. Code 5101:2-12-25(B) and (E) (2024)
Oklahoma	Yes. Must have parental permission. Emergency medications like glucagon must be easily accessible.	Yes. Must have parental permission.
	Okla. Admin. Code § 340:110-3-295 (2024)	Okla. Admin. Code § 340:110-3-295 (2024)
Oregon	Yes. Must have signed parental authorization	Yes. Must have signed parental authorization.
	Or. Admin. R. 414-300-0230(1) (2024)	Or. Admin. R. 414-300-0230(1) (2024)
Pennsylvania	Yes. Must make reasonable accommodations which includes glucagon administration. Must have written parental consent.	Yes. Must make reasonable accommodations which includes insulin administration. Must have written parental consent.
	55 Pa. Code § 3270.133 (2023)	55 Pa. Code § 3270.133 (2023)
Rhode Island	Yes. Must have written permission from parent and written order from prescribing health practitioner	Yes. Must have written permission from parent and written order from prescribing health practitioner
	DCYF Child Care Program Regulations for Licensure 214-RICR-40-00-01.8(C)	DCYF Child Care Program Regulations for Licensure 214-RICR-40-00-01.8(C)
South Carolina	Yes. Do not need parental permission if there is a medical emergency	Yes. Must have signed parental consent.
	S.C. Code Ann. § 63-13-185(D) (2023)	S.C. Code Ann. § 63-13-185(B) (2023)
South Dakota	Yes. Must have parental permission.	Yes. Must have parental permission.
	S.D. Admin. Rule 67:42:17:25 (2024)	S.D. Admin. Rule 67:42:17:25 (2024)
Tennessee	Yes. Must have written parental consent.	Yes. Staff person must be trained in medication administration. Must have written parental consent.
	Tenn. Comp. R. & Regs. 1240-04-01-.08(2)(d)(1)(viii) (2024)	Tenn. Comp. R. & Regs. 1240-04-01-.12(12)(b) (2024)
Texas	Yes. Parental consent is not required in emergencies.	Yes. Signed parental authorization required.
	26 Tex. Admin. Code §746.3803 (2024)	26 Tex. Admin. Code §746.3803 (2024)
Utah	Yes. Must have written medication form from parent(s)	Yes. Must have written medication form from parent(s)

	Utah Admin. Code r. 381-100-17 (2024)	Utah Admin. Code r. 381-100-17 (2024)
Vermont	Yes. Staff administering medication must complete training course. Must have written permission from parents.	Yes. Staff administering medication must complete training course. Must have written permission from parents.
	FCCH 5.6 (2022)	FCCH 5.6 (2022)
Virginia	Yes. There must always be a staff member trained in glucagon administration when child with diabetes is present.	Yes, if chooses to. Staff member administering medicine must be trained.
	8 Va. Admin. Code § 20-780-245(J)(3) (2023)	8 Va. Admin. Code § 20-780-245(J)(1) (2023)
Washington	Yes. Must have individual care plan signed by parent with instructions for emergency medication.	Yes. Must have individual care plan signed by parent with instructions for diabetes management.
	Wash. Admin. Code § 110-300-0300(2)(a)(iii) (2023)	Wash. Admin. Code § 110-300-0215(3) (2023)
Washington, D.C.	Yes. Staff administering must have completed a medication training program. Must have parental permission and health practitioner approval.	Yes. Staff administering must have completed a medication training program. Must have parental permission and health practitioner approval.
	D.C. Mun. Regs. tit. 5 § A153.1 (2024)	D.C. Mun. Regs. tit. 5 § A153.1 (2024)
West Virginia	Yes. Must have written parental permission and health provider order. Must be administered by trained staff.	Yes. Must have written parental permission and health provider order. Must be administered by trained staff.
	W. Va. Code R. § 78-1-15.2.a.5 (2024)	W. Va. Code R. § 78-1-15.4.h (2024)
Wisconsin	Yes. Must have written parental authorization.	Yes. Must have written parental authorization.
	Wis. Admin. Code DCF § 251.07(6)(f)(1)(a) (2023)	Wis. Admin. Code DCF § 251.07(6)(f)(1)(a) (2023)
Wyoming	Yes. Children with diabetes must have a care plan with directions and symptoms for glucagon administration. Must be administered by trained staff. Must have parental consent.	Yes. Children with diabetes must have a care plan with directions and symptoms for insulin administration. Must be administered by trained staff. Must have parental consent.
	Wyo. Dept. of Family Services Childcare Licensing Rules Chap. 1 § 1 & Chap. 4 § 5(xix) (2022)	Wyo. Dept. of Family Services Childcare Licensing Rules Chap. 1 § 1 & Chap. 4 § 5(xix) (2022)