



REC-IMO-005	Recreational and Educational Camps
Revision: 1.0	Camp Staff Medication Administration Compliance with the Americans with Disabilities Act (ADA) Federal Law
Approved: 09/08/2023	Wis. Admin. Code: 78

TO: All DATCP Retail Food Staff and Agents

FROM: Bureau Director, Bureau of Food and Recreational Businesses

SUBJECT: Interpretation Regarding Camp Staff of Any Age Medication Administration Compliance with the Americans with Disabilities Act (ADA) Federal Law.

1.0 Purpose

The purpose of this document is to provide an interpretation regarding the camp wellness and health staff section related to camp staff's personal medication administration requirements.

2.0 Scope

This interpretive memo applies to Division of Food and Recreational Safety (DFRS) inspection staff and agents.

3.0 Definitions

3.1 "Camp staff" is defined in rule, ATCP 78.03(13).

4.0 Interpretation

4.1 The recreational and educational camp (ATCP 78.27) code includes multiple citations regarding prescription and over-the-counter medications brought by adult camp staff and staff under 18 years of age to be administered by qualified health services staff along with proper recordkeeping. The intention is to ensure a safe camp environment for campers; therefore, proper labeling and locked storage provisions apply. However, it was determined the following sections may be considered medical-related inquiry that is prohibited under the ADA:

4.1.1 ATCP 78.27 (1) (e) (1.) (a.-c. & g.) *Each camp staff member upon arrival at the camp, shall present to the health services staff or the rental groups health services staff...health histories shall include all of the following: a. any physical condition or limitations b. medications c. allergies g. immunization status...*

4.1.1.1 An abbreviated camp staff health history is necessary to ensure disclosure by the staff of only a medical condition or non-specific medication that could impair their ability to perform the essential functions of the position and may indicate the staff member is

entitled to reasonable accommodation under the ADA. The camp should consult legal counsel with any questions or concerns.

4.1.2 ATCP 78.27 (4) (d) (2.) *...all medication brought to camp by a camper or staff member under 18 years of age shall meet...Administered by health services staff qualified...*

4.1.2.1 To prevent violation of the ADA, camp staff of any age are responsible to take their own personal medications while at camp, given they store it pursuant to ATCP 78.27 (4) (d) (1.) *kept in a locked unit.*

4.1.3 ATCP 78.27 (4) (e) *...shall allow qualified health services staff to designate an individual at the camp to administer, to a camper or staff member who is under 18 years of age...*

4.1.3.1 To prevent violation of the ADA, camp staff of any age are responsible to take their own personal medications while at camp, regardless of length of stay.

4.1.4 ATCP 78.27 (5) (b) *When medication is administered...provided to a camper or staff member, health services staff shall, as soon as possible, make a record of the action using any one of the following:*

To prevent violation of the ADA, camp staff of any age are exempt from making a record of their personal medications in the camp health medication administration records.

5.0 Contacts

DFRS Recreational Technical Specialists: datcpdfsrec@wisconsin.gov.

6.0 References

6.1 ATCP 78

Document History

The most recent changes to this controlled document are listed at the top of the table:

Revision	Author	Change Description	Approval Date
1.0	James Kaplanek Stephanie Sticka	New Document	09/08/2023

7.0 Approval

Workflow History
The workflow recorded these events.

Date Occurred	Event Type	User ID	Description	Outcome
9/8/2023 2:09 PM	Workflow Initiated	Northwood, Andrea M	Approval was started. Participants: Ingham, Steven C.; Sprecker, Troy S	
9/8/2023 2:09 PM	Task Created	Northwood, Andrea M	Task created for Ingham, Steven C.. Due by: 9/12/2023 12:00:00 AM	
9/8/2023 2:09 PM	Task Created	Northwood, Andrea M	Task created for Sprecker, Troy S. Due by: 9/12/2023 12:00:00 AM	
9/8/2023 3:29 PM	Task Completed	Sprecker, Troy S	Task assigned to Sprecker, Troy S was approved by Sprecker, Troy S. Comments:	Approved by Sprecker, Troy S
9/8/2023 4:34 PM	Task Completed	Ingham, Steven C.	Task assigned to Ingham, Steven C. was approved by Ingham, Steven C.. Comments: The interpretation seems to directly contradict the rule as written. I infer from the title that the interpretation is made to prevent violation of the ADA. Marked it up wit	Approved by Ingham, Steven C.
9/8/2023 4:34 PM	Workflow Completed	Northwood, Andrea M	Approval was completed.	Approval on IMO Rec Ed Camp Staff Medications ADA has successfully completed. All participants have completed their tasks.