

PRESCRIPTION/NONPRESCRIPTION MEDICATION

Students may, subject to the provisions of this regulation, have prescription or nonprescription medication administered by designated, trained school staff. Self-medication by students will be permitted in accordance with this regulation and state law.

DEFINITIONS

As used in OAR 581-021-0037, definitions of terms shall be as follows:

Prescription Medication: Any non-injectable drug, chemical compound, suspension or preparation in suitable form for use as a curative or remedial substance taken either internally or externally by a student under the written direction of a physician. Prescription medication includes any prescription for bronchodilators or auto-injectable epinephrine prescribed by a student's Oregon licensed health care professional for asthma or severe allergies. Prescription medication does not include dietary food supplements.

Nonprescription Medication: Only commercially prepared, non-alcohol based medication to be taken at school that is necessary for the student to remain in school. This shall be limited to eyes, nose and cough drops, cough suppressants, analgesics, decongestants, antihistamines, topical antibiotics, anti-inflammatories and antacids that do not require written or oral instructions from a physician. Nonprescription medication does not include dietary food supplements.

Physician: A doctor of medicine or osteopathy, a physician assistant licensed to practice by the Board of Medical Examiners for the State of Oregon, a nurse practitioner with prescriptive authority licensed by the Board of Nursing for the State of Oregon, a dentist licensed by the Board of Dentistry for the State of Oregon, an optometrist licensed by the Board of Optometry for the State of Oregon, or a naturopathic physician licensed by the Board of Naturopathy for the State of Oregon. "Physician" may also include individuals licensed in the categories set out above by comparable licensing agencies in adjoining states.

Student Self-Medication: A student must be able to administer medication to him or herself without requiring a trained school staff member to assist in the administration of the medication.

Age-Appropriate Guidelines: A student must be able to demonstrate the ability, developmentally and behaviorally, to self-medicate with permission from parent or guardian, building administrator, and in the case of a prescription medication, a physician.

Training: The annual instruction to be provided by a qualified trainer to designated school staff on the administration of prescription and nonprescription medication, based on requirements set out in guidelines approved by the Department of Education, including discussion of applicable district policies, procedures, and materials.

Qualified Trainer: A person who is familiar with the delivery of health services in a school setting and who is a registered nurse licensed by the Oregon State Board of Nursing, a physician, or a pharmacist licensed by the State Board of Pharmacy for the state of Oregon.

Severe Allergy: A life-threatening hypersensitivity to a specific substance such as food, pollen or dust.

Asthma: A chronic inflammatory disorder of the airways that requires ongoing medical intervention.

Designated staff: The staff person who is designated by the building principal to administer prescription or nonprescription medication.

DESIGNATED STAFF AND TRAINING

OAR 581-021-0037 requires that the District meet the following requirements:

Designated Staff: The building principal will designate school staff authorized to administer prescription or nonprescription medication to students while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in before- or after-school care programs on school-owned property and in transit to or from school or school-sponsored activities. The principal will supervise and ensure building and activity practices and procedures are consistent with the requirements of law, rules, and this regulation.

Training: The building principal will ensure that training is provided as required by law and Oregon Administrative Rules. Training must be conducted by a qualified trainer.

Training Content: Training will provide an overview of applicable provisions of Oregon law, administrative rules, district policy and administrative regulations. Materials recommended and/or approved by the Department of Education will be used, and include, but not be limited to, the following:

- Safe storage and handling of medications
- Monitoring medication supplies
- Disposing of medications
- Record keeping
- Reporting of medication administration and errors in administration
- Emergency medical response for life-threatening side effects and allergic reactions
- Student confidentiality

Training Schedule: Training will be provided annually to designated employees-authorized to administer medication to students.

District Policy: A copy of the district's policy and regulation will be provided to all school staff that are authorized to administer medication to students and to others as appropriate.

Verification of Training: A record of attendance verifying that the designated school staff member has received the required annual training will be signed by the staff member and trainer and entered as completed on the district database.

ADMINISTERING PREMEASURED DOSES OF EPINEPHRINE TO A STUDENT OR OTHER INDIVIDUAL

A premeasured dose of epinephrine may be administered by trained, designated district staff to any student or other individual on school premises who the personnel believe, in good faith, is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

ADMINISTERING MEDICATIONS TO STUDENTS

Requests for designated school staff to administer medication to A students may be approved by the District and subject to the following:

Written Request for Prescription Medication: A written request for District designated staff to administer prescription medication to a student, if because of the prescribed frequency for the medication, the medication must be given while the student is in school, at a school-sponsored activity, while un the supervision of school personnel, in before- or after-school care programs on school-owned property and in transit to or from school or school-sponsored activities, must be submitted to the school office. The request must include the written, signed permission of the parent or guardian and written instruction from the physician, physician's assistant or nurse practitioner for the administration of the prescription medication to the student, including:

- Written, signed permission of the parent or guardian
- Written instruction with the required information from the physician for administration of the medication to the student.
- The prescription label will be considered to meet this requirement if it contains the required information
 - Name of the student
 - Name of the medication
 - Method of administration
 - Dosage;
 - Frequency of administration
 - Expiration date of medication
 - Other special instructions, if any

Written Request for Nonprescription Medication: A written request for District staff to administer nonprescription medication must be submitted to the school office. The request must include:

- Written, signed permission of the parent or guardian
- Written instruction from the parent or guardian for the administration of the nonprescription medication, including:
 - Name of the student
 - Name of the medication
 - Method of administration
 - Dosage
 - Frequency of administration
 - Other special instructions, if any

Medication Requirements: Medication to be administered by District staff must meet the following requirements:

- Be submitted in its original container
- Be brought to and returned from the school by the parent
- Include an adequate amount of medication for the duration of the student's need to take medication.
- Provide written information of any changes in medication instructions

Refusal: In the event a student refuses medication, the parent will be notified immediately. No attempt will be made to administer medication to a student who refuses it.

Errors: Any error in administration of medication will be reported to the parent, the principal, and the school nurse. Documentation shall be made on the appropriate District report form. Errors include but are not limited to administering medication to the wrong student, administering the wrong medication, dose, frequency of administration, method of administration, etc.

Medication shall not be administered or self-medication allowed until the necessary permission form and written instructions have been submitted as required by the District.

STUDENT SELF MEDICATION OF A PRESCRIPTION OR NONPRESCRIPTION MEDICATION

Student self-medication of prescription medication by K-12 students including students with asthma or severe allergies will be allowed subject to the following:

1. A parent (guardian) signed permission form and other documentation requested by the district must be submitted for self-medication of all prescription medications.
2. A prescription written by an Oregon licensed health care professional that includes a written treatment plan for managing the student's asthma, diabetes and/or severe allergy and for use by the student while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in before- or after-school care programs on school-owned property and in transit to or from school or school-sponsored activities, and acknowledgment the student has been instructed in the correct and responsible use of the medication.
3. Building principal permission for all self-medication of prescription medicine requests is required.

Student self-medication of nonprescription medication by K-12 students may be allowed subject to the following:

1. A parent or guardian permission form and other documentation requested by the district must be submitted for self-medication of all nonprescription medications. The signed form from the parent or guardian must ensure the student has received proper instruction of use.
2. Building principal permission for all self-medication of nonprescription medicine is required.

Students who are developmentally and/or behaviorally unable to self-medicate will be provided assistance by designated school staff. A permission form and written instructions will be required.

All prescription and nonprescription medication must be kept in its appropriately labeled, original container, as follows:

1. Prescription labels must specify the name of the student, name of the medication, dosage, method of administration and frequency or time of administration and any other special instruction including permission for the student to self-medicate;
2. Nonprescription medication must have the student's name affixed to the original container.
3. The student may have in his/her possession only the amount of medication needed for that school day, except for manufacture's packaging that contains multiple dosage, the student may carry one package, such as but not limited to autoinjectable epinephrine or bronchodilators/inhalers;
4. Sharing and/or borrowing of any medication with another student is strictly prohibited;
5. For students who have been prescribed bronchodilators or epinephrine, school staff will request from the parent or guardian, that the parent or guardian provide back up medication for emergency use by that student. Backup medication, if provided by the parent or guardian, will be kept at the student's school in a location to which the student

has immediate access in the event the student has an asthma and/or severe allergy emergency.

6. Upon written parent request and with a physician's written statement that the immediate access to a backup autoinjectable epinephrine is medically advised, and the location the school stores backup medication is not located in the student's classroom, a process shall be established to allow the backup autoinjectable epinephrine to be kept in a reasonable secure location in the student's classroom.

Permission to self-medicate may be revoked if the student violates the Board's policy and/or these regulations. Additionally, students may be subject to discipline, up to and including expulsion, as appropriate.

HANDLING, STORAGE, MONITORING MEDICATION SUPPLIES

Designated school staff must adhere to the following procedures when handling, storing, and monitoring medications.

Delivery of Medication: Medication administered by designated staff or self-administered by the student must be delivered by the parent to the school, in its original container, accompanied by the permission form and written instructions, as required above.

Double Custody Required: Medication in capsule or tablet form and categorized as a sedative, stimulant, anti-convulsant, narcotic, analgesic, or psychotropic medication must be handled appropriately as follows:

- The capsules or tables must be counted by designated school staff in the presence of another school employee upon receipt
- Documented in the student's medication log
- Routinely monitored during storage and administration
- Discrepancies are to be reported to the building principal immediately and documented in the student's medication log
- For medication not in capsule or tablet form, standard measuring and monitoring procedures will apply

Written Instructions: Designated school staff will follow the written instructions of the physician, parent, and training guidelines as may be recommended by the Department of Education for administering all forms of prescription and nonprescription medications.

Medication Security: Medication will be secured as follows:

- Non-refrigerated medications will be stored in a locked cabinet, drawer, or box used solely for the storage of medication.
- Medications requiring refrigeration will be stored in a separate refrigerator used solely for the storage of medication.
- Access to medication storage keys will be limited to the building principal, school nurse, and designated school staff.
- Designated school staff will be responsible for monitoring all medication supplies and for ensuring medication is secure at all times, not left unattended after administering, and that the medication container is properly sealed and returned to storage.

Inadequate Dosage: In the event an inadequate dosage of medication is on hand to administer to the student who takes the medication on a regular basis, the designated school staff will notify the parent immediately.

EMERGENCY RESPONSE

Designated school staff will notify 911 or other appropriate emergency medical response systems and administer first aid as necessary in the event of life threatening side effects that result from district-administered medication or from student self-medication or allergic reactions. The parent, school nurse, and building principal will be informed or notified of the situation immediately.

DISPOSAL OF MEDICATIONS

School nurses will properly dispose of medication under the following conditions:

- Medication not picked up by the parent at the end of the school year
- Medication not picked up by the parent within five (5) school days at the end of the medication period
- Medication with an expired date

When disposing of medication, the accepted procedures are as follows:

- Medication in capsule, tablet or liquid form will be disposed of in *approved* biohazard containers
- Other medication will be disposed of in accordance with established training procedures
- The nurse will dispose of all medication in the presence of another school employee and documented as described below in *Medication Log* section

DOCUMENTATION AND RECORD-KEEPING

The school nurse shall be responsible for establishing and monitoring the medication logs to ensure that the following requirements are met:

Medication Log: A medication log will be maintained for each student who receives medication from designated school staff. The medication log will include, but not be limited to:

- The medication administered, date, time of administration, and name of the person administering the medication
- Student refusals of medication
- Errors in administration of medication
- Emergency and minor adverse reaction incidents
- Discrepancies in medication supply
- Disposal of medication, including date, quantity, manner of disposal, and the signature of the school nurse and witness.

Medical File: All records relating to the administration of medication, including permission slips and written instructions, will be maintained in a separate, medical file apart from the student's educational records file unless otherwise related to the student's educational placement and/or individualized education plan. Records will be retained in accordance with applicable provisions of OAR 166-400-0010(17) and OAR 166-400-0060(29).

Confidentiality: Student medical files will be kept confidential. Access shall be limited to those designated school staff authorized to administer medication to students, the student, and his/her

parents. Information may be shared with school staff with a legitimate educational interest in the student or others as may be authorized by the parent in writing.

Liability: A school administrator, teacher or other school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administration of prescription and/or nonprescription medication as per state law.

A school administrator, school nurse, teacher or other district employee designated by the school administrator, are not liable in a criminal action or for civil damages as a result of a student's self-administration of medication, when that person in good faith assisted the student in self-administration of the medication, as per state law.

A school administrator, school nurse, teacher or other district employee are not liable in a criminal action or for civil damages, when in good faith administers auto-injectable epinephrine to a student or other individual with a severe allergy, who is unable to self-administer the medication, as per state law.

A school district and the members of a school district board are not liable in a criminal action or for civil damages when a student or individual is unable to self-administer medication, when any person in good faith administers auto-injectable epinephrine to a student or individual, as per state law.

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