

# Multnomah Education Service District

Code: **JHCD/JHCDA-AR**  
Adopted: 10/15/94  
Revised/Readopted: 1/18/05; 5/21/13; 7/15/14;  
1/20/15; 8/21/15  
Orig. Code(s): JHCD-AR

## **Prescription/Nonprescription Medication \*\***

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

### 1. Definitions

- a. “Prescription medication” means 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 autoinjectable epinephrine prescribed by a student’s Oregon licensed health care professional for asthma or severe allergies. Prescription medication does not include dietary food supplements. As per Oregon Administrative Rule (OAR)851-047-0030 through 581-047-0040, a registered nurse may administer a subcutaneous injectable medication.
- b. “Nonprescription medication” means only commercially prepared, non-alcohol-based medication to be taken at school that is necessary for the child 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.
- c. “Physician<sup>1</sup>” means a doctor of medicine or osteopathy or a physician assistant licensed to practice by the Board of Medical Examiners for the state of Oregon, or a nurse practitioner with prescriptive authority licensed by the Oregon State Board of Nursing, or 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.
- d. “Student self-medication” means student must be able to administer medication to himself/herself without requiring a trained staff member to assist in the administration of the medication.
- e. “Age-appropriate guidelines” means the student must be able to demonstrate the ability, developmentally and behaviorally, to self-medicate with permission from parent/guardian, administrator, and in the case of a prescription medication, a physician.
- f. “Training” means the instruction to be provided to designated staff on the administration of prescription and nonprescription medications, based on requirements set out in guidelines

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<sup>1</sup>Added to Oregon Revised Statute 678.010 to -678.410: A registered nurse who is employed by a public or private school may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the school for not more than 90 days (House Bill 3149 (2015)). (This is to allow time for new students to find an Oregon licensed physician.)

approved by the Oregon Department of Education (ODE), including discussion of applicable MESD policies, procedures and materials.

- g. “Qualified trainer” means 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.
- h. “Severe allergy” means a life-threatening hypersensitivity to a specific substance such as food, pollen or dust.
- i. “Asthma” means a chronic inflammatory disorder of the airways that requires ongoing medical intervention.
- j. “Designated staff” means the staff person who is designated by the building principal to administer prescription or nonprescription medication.

## 2. Designation, Training and Supervision of Appropriate Staff

- a. The building administrator will designate trained staff authorized to administer prescription or nonprescription medication to students at an ESD-sponsored activity, under the supervision of ESD personnel, in before- or after-school care programs on ESD-owned property and in transit to and from school or ESD-sponsored activities. The building principal/supervisor will supervise and ensure building and activity practices and procedures are consistent with the requirements of law, rules and this regulation.
- b. The building principal/supervisor will ensure the training required by law and Oregon Administrative Rules is provided. Training may be conducted by any physician licensed by the state of Oregon, a nurse licensed by the Oregon State Board of Nursing or by others as deemed appropriate by MESD in accordance with training program guidelines recognized by the ODE.
- c. Training will provide an overview of applicable provisions of Oregon law, administrative rules, MESD Board policy and administrative regulations and include, but not be limited to the following: safe storage, handling, monitoring medication supplies, disposing of medication, record keeping and reporting of medication administration and errors in administration, emergency medical response for life threatening side effects and allergic reactions and student confidentiality. Materials as recommended and/or approved by the ODE will be used.
- d. Training will be provided yearly to designated staff authorized to administer medication to students.
- e. A copy of MESD’s policy and administrative regulation will be provided to all staff authorized to administer medication to students and others as appropriate.
- f. A statement that the designated staff member has received the required training will be signed by the staff member and filed in the MESD office.

## 3. Administering Premeasured Doses of Epinephrine to a Student or Other Individual

A premeasured dose of epinephrine may be administered by trained, designated ESD staff to any student or other individual on ESD-owned 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.

## 4. Administering Medication to Students

- a. A request for trained designated staff to administer medication to a student may be approved by the ESD and subject to the following:

- (1) A written request for MESD 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 an ESD-sponsored activity, while under the supervision of MESD personnel, in before- or after-school care programs on MESD-owned property and in transit to or from school or ESD-sponsored activities, must be submitted to the school/program office to include:
  - (a) The written signed permission of the parent/guardian;
  - (b) The written instructions from the physician, physician assistant or nurse practitioner for the administration of the prescription medication to the student include:
    - (i) Name of the student;
    - (ii) Name of the medication;
    - (iii) Method of administration;
    - (iv) Dosage;
    - (v) Frequency of administration; and
    - (vi) Other special instruction, if any. The prescription will meet the requirement if it contains the information listed in (i) through (vi) above.
  
- b. A written request for MESD to administer nonprescription medication must be submitted and shall include:
  - (1) The written signed permission of the parent/guardian;
  - (2) The written instructions of the parent/guardian for the administration of the nonprescription medication to the student including:
    - (a) Name of student;
    - (b) Name of medication;
    - (c) Method of administration;
    - (d) Dosage;
    - (e) Frequency of administration;
    - (f) Other special instruction, if any.
  
- c. Medication is to be submitted in its original container;
- d. Medication is to be brought to and returned from school by the parent/guardian;
- e. It is the parent/guardian's responsibility to ensure that an adequate amount of medication is on hand at school for the duration of the student's need to take medication;
- f. It is the parent/guardian's responsibility to ensure that school is informed in writing of any changes made to the medication instructions;
- g. In the event a student refuses medication, the parent/guardian will be notified immediately. No attempt will be made to administer medication to a student who refuses MESD-administered medication;
- h. Any error in administration of medication will be reported to the parent/guardian, school nurse and administrator immediately and documentation made on MESD's Medication Incident 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;

- i. Medication shall not be administered or self-medication allowed, until the necessary permission form and written instructions have been submitted as required by MESD.
5. Student Self-Medication of a Prescription or Nonprescription Medication
- a. Student self-medication of prescription medication 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 MESD must be submitted for self-medication of all prescription medication;
    - (2) A prescription written by an Oregon licensed health care professional that includes a written treatment plan for the managing of student's asthma and/or severe allergy or for use by the student while the student is in school, at an ESD-sponsored activity, while under the supervision of ESD personnel, in before- or after-school care programs on ESD-owned property and in transit to or from school or ESD-sponsored activities, and acknowledgment the student has been instructed in the correct and responsible use of the medication;
    - (3) Signed permission of the building administrator/supervisor is required for all self-medication of prescription medication requests.
  - b. 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 ESD must be submitted for self-medication of all nonprescription medications. The signed form from the parent or guardian will ensure the student has received proper instruction for use;
    - (2) Principal permission for all self-medication of nonprescription medication requests is required.
  - c. Students who are developmentally and/or behaviorally unable to self-medicate will be provided assistance by designated staff. A permission form and written instructions will be required as provided in Section 4 a. above;
  - d. 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.
  - e. The student may have in his/her possession only the amount of medication needed for that school day except for manufacturer's packaging that contains multiple dosages, the student may carry one package, such as but not limited to, autoinjectable epinephrine or bronchodilators/inhalers;
  - f. Sharing and/or borrowing of any medication with another student is strictly prohibited;
  - g. Any medication required for use longer than 10 school days will be permitted only upon the written request of the parent/guardian;

- h. For students who have been prescribed bronchodilators or epinephrine, staff will request from the parent or guardian, that the parent or guardian provide backup 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;
- i. Upon written parent request, and with a physician's written statement that the lack of immediate access to a backup autoinjectable epinephrine may be life threatening to a student, 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 reasonably secure location in the student's classroom;
- j. Permission to self-medicate may be revoked if the student violates Board policy and/or these regulations. Additionally, students may be subject to discipline, up to and including expulsion, as appropriate.

## 6. Handling, Storage, Monitoring of Medication Supplies

- a. Medication administered by designated staff or self-administered by the student, must be delivered by the parent/guardian, in its original container, accompanied by the permission form and written instructions, as required above.
- b. Medication in capsule or tablet form and categorized as a sedative, stimulant, anti-convulsant, narcotic analgesic or psychotropic medication will be counted by designated staff in the presence of another MESD employee upon receipt. The count shall be documented in the student's medication log, signed by both parties, and routinely monitored during storage and administration. Discrepancies will be reported immediately to the building administrator and documented in the student's medication log. For such medication not in capsule or tablet form, standard measuring and monitoring procedures will apply.
- c. Designated staff will follow the written instructions of the physician and parent/guardian and training guidelines as may be recommended by ODE for administering all forms of prescription and/or nonprescription medications.
- d. Medication will be secured as follows:
  - (1) Nonrefrigerated medication will be stored in a locked cabinet, drawer or box used solely for the storage of medication;
  - (2) Medication requiring refrigeration will be stored in a locked box in a refrigerator;
  - (3) Access to medication storage keys will be limited to the building administrator and designated staff.
- e. Designated 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.
- f. In the event medication is running low or an inadequate dosage is on hand to administer the medication, the designated staff will notify the parent/guardian, school nurse and administrator immediately.

## 7. Emergency Response

- a. Designated 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

- MESD-administered medication or from student self-medication or allergic reactions. The parent/guardian, school nurse and building administrator will be immediately notified.
- b. Minor adverse reactions that result from MESD-administered medication or from student self-medication will be reported to the parent/guardian immediately.

## 8. Disposal of Medications

- a. Medication not picked up by the parent/guardian at the end of the school year or within five (5) school days of the end of the medication period, whichever is earlier, will be disposed of by designated staff in a nonrecoverable fashion as follows:
  - (1) Medication in capsule, tablet or liquid form will be removed from their original container (destroy any personal information). Crush solid medications, mix or dissolve in water (this applies to liquid as well) and mix with an undesirable substance such as coffee grounds, kitty litter, pencil shavings, flour, etc., and place it in impermeable non-descript containers such as empty cans or sealable bags, placing these containers in the trash;
  - (2) Other medication will be disposed of in accordance with established training procedures including sharps and glass.
- b. All medication will be disposed of by designated staff in the presence of another employee and documented as described in Section 9. a. below.

## 9. Documentation and Record Keeping

- a. A medication log will be maintained for each student administered medication by the MESD. The medication log will include but not be limited to:
  - (1) The name, dose and route of medication administered, date, time of administration and name of the person administering the medication;
  - (2) Student refusal of medication<sup>2</sup>;
  - (3) Errors in administration of medication<sup>2</sup>;
  - (4) Emergency and minor adverse reaction incidents;
  - (5) Discrepancies in medication supply;
  - (6) Disposal of medication including date, quantity, manner in which the medication was destroyed and the signature of the staff involved.
- b. All records relating to administration of medicines, including permission slips and written instructions, will be maintained in a separate medical file apart from the student's education record 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 400-0010(14) and OAR 166-400-0060(29).
- c. Student medication files will be kept confidential. Access shall be limited to those designated staff authorized to administer medication to students, the student and his/her parent/guardian. Information may be shared with staff with a legitimate educational interest in the student or others as may be authorized by the parent in writing.

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<sup>2</sup>Designated staff may note incident by symbol in medication log and attach detailed documentation as necessary.

An MESD or school/program administrator, teacher or other MESD employee designated by the 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.

An ESD administrator, school nurse, school administrator, teacher or other ESD 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.

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

An ESD and the members of an ESD 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 autoinjectable epinephrine to a student or individual, as per state law.