

Administering Noninjectable Medicines to Students

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

I. 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 does not include dietary food supplements.
- B. “Nonprescription medication” means 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.
- C. “Physician” means 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 Oregon State Board of Nursing, 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” also may include individuals licensed in the categories set out above by comparable licensing agencies in adjoining states.
- D. “Student self-medication” means a student must be able to administer medication to himself or 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 or guardian, building administrator, and in the case of a prescription medication, a physician.
- F. “Training” means yearly instruction by a qualified trainer to be provided to designated 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.

- 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 license by the Oregon State Board of Nursing, a physician or a pharmacist licensed by the State Board of Pharmacy for the state of Oregon.

II. DESIGNATED STAFF/TRAINING

- A. The building principal will designate trained staff authorized to administer medication to students within individual school buildings and while participating at school-sponsored activities on or off district property. The building principal will ensure building and activity practices and procedures are consistent with the requirements of law, rules and this regulation.
- B. The building principal 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 Board of Nursing of the state of Oregon or by others as deemed appropriate by the district in accordance with training program guidelines recognized by the Department of Education.
- C. Training will provide an overview of applicable provisions of Oregon law, administrative rules, district policy and administrative regulations and include, but not be limited to the following: safe storage, handling, monitoring medication supplies, disposing of medications, 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 Department of Education will be used.
- D. Training will be provided yearly to designated staff authorized to administer medication to students.
- E. A copy of the district’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 district office.

III. ADMINISTERING MEDICATIONS TO STUDENTS

Requests for designated staff to administer medication to students may be approved by the district as follows:

- A. A written request for the district to administer prescription medication must be submitted to the school office to include:
 - 1. The written signed permission of the parent**;
 - 2. The written instruction from the physician for the administration of the prescription medication to the student including:
 - a. Name of the student;
 - b. Name of the medication;
 - c. Route;

- d. Dosage;
- e. Frequency of administration; and
- f. Other special instruction, if any.

The prescription label will be considered to meet this requirement if it contains the information listed in a-f above.

- B. A written request for the district to administer nonprescription medication must be submitted to the school office to include:
 - 1. The written signed permission of the parent;
 - 2. The written instruction from the parent for the administration of the nonprescription medication to the student including:
 - a. Name of the student;
 - b. Name of the medication;
 - c. Route;
 - d. Dosage;
 - e. Frequency and time 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 the school office by the parent for grade K-8. Medication can be brought to and returned from the school office by students 9-12;
- E. It is the parent's responsibility to ensure that an adequate amount of medication is on hand at the school for the duration of the student's need to take medication;
- F. It is the parent's responsibility to ensure that the school is informed in writing of any changes in medication instructions. A physician's statement or a new prescription is needed for any change in the administration of prescription medication;
- G. 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 district administered medication;
- H. Any error in administration of medication will be reported to the parent immediately* and documentation made on the district's Accident/Incident Report form and placed in the students medical file. Errors include but are not limited to administering medication to the wrong student, administering the wrong medication, dose, time, route, etc.;
- I. 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.

IV SELF-MEDICATION

- A. Grades K-8: Self-medication of prescription and nonprescription medication is not allowed except in cases where a student must carry such medication on his/her person for immediate access. A parent or guardian permission form must be submitted for self medication. In the case of prescription medication, permission from the physician is also required. Such

permission may be indicated on the prescription label. Building principal permission is required for all self-medication requests.

- B. Grades 9-12: Self-medication of prescription and nonprescription medication may be allowed subject to the following:
1. A parent or guardian permission form must be submitted for self-medication of all prescription and nonprescription medications. In the case of prescription medications, permission from the physician is also required. Such permission may be indicated on the prescription label. Building principal permission is required for all self-medication requests.
 2. 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 III A. and B. above;
 3. All prescription and nonprescription medication must be kept in its appropriately labeled, original container, as follows:
 - a. Prescription labels must specify the name of the student, name of the medication, dosage, route and frequency or time of administration and any other special instruction, including permission to self-medicate.
 - b. Nonprescription medication must have the student's name affixed to the original container.
 4. The student may have in his/her possession only the amount of medication needed for that school day;
 5. Sharing and/or borrowing of medication with another student are strictly prohibited;
- C. Permission to self-medicate may be revoked if the student violates the Board's policy governing Administering Non-injectable Medicines to Students and/or these regulations. Additionally, students may be subject to discipline, up to and including expulsion, as appropriate.

V. HANDLING, STORAGE, MONITORING MEDICATION SUPPLIES

- A. Medication administered by designated staff must be delivered by the parent to the school, 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 district employee upon receipt, documented in the student's medication log and routinely monitored during storage and administration. Discrepancies will be reported to the building principal immediately 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 and training guidelines as may be recommended by the Department of Education for administering all forms of non-injectable medications.

- D. Medication will be secured as follows:
 - 1. Non-refrigerated medications will be stored in a locked cabinet, drawer or box;
 - 2. Medications requiring refrigeration will be stored in a locked box in a refrigerator or a separate refrigerator used solely for the storage of medication;
 - 3. Access to medication storage keys will be limited to the building principal 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 inadequate dosage is on hand to administer the medication, the designated staff will notify the parent immediately.

VI. 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 district administered medication or from student self-medication. The parent and building principal will be notified immediately.
- B. Minor adverse reactions that result from district administered medication or from student self-medication will be reported to the parent immediately.

VII. DISPOSAL OF MEDICATIONS

- A. Medication not picked up by the parent at the end of the school year or within 10 school days of the end of the medication period, whichever is earlier, will be disposed of by designated staff in a non-recoverable fashion as follows:
 - 1. Medication in capsule, tablet or liquid form will be flushed;
 - 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 school employee and documented as described in VIII. A., below.

VIII. DOCUMENTATION AND RECORDKEEPING

- A. A medication log will be maintained for each student administered medication by the district. 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 refusals of medication;
 - 3. Errors in administration of medication;*
 - 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 signatures of the staff involved.

* Designated staff may note incident by symbol in medication log and attach detailed documentation as necessary.

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 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 166-414-0010 (22), (23) and (24).

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

A school administrator, teacher or other district employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administrator of prescription and/or nonprescription medication as per ORS 339.870.

*As used in this administrative regulation, the term contact parent immediately means a phone contact shall be made. In the event the parent can not be reached by phone, the contact shall be made through the mail.

**As used in this administrative regulation, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005(4) and 125.300 - 125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056.