

Administering Noninjectable/Injectable Medicines to Students

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

1. Definitions

- A. "Prescription medication" means any noninjectable/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 eye, 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 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" 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/herself without requiring a trained school 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 ESD staff on the administration of prescription and nonprescription medication, based on requirements set out in guidelines approved by the Oregon Department of Education (ODE), including discussion of applicable ESD policies, procedures and materials.

2. Designated School Staff/Training

- A. The program administrator will designate staff authorized to administer medication. The program administrator will ensure building and activity practices and procedures are consistent with the requirements of law, rules and this regulation.
- B. The program administrator 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 ESD in accordance with training program guidelines recognized by ODE.

- C. Training will provide an overview of applicable provisions of Oregon law, administrative rules, ESD 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 ODE will be used.
- D. Training will be provided upon initial assignment to designated school staff authorized to administer medication to students. Subsequent training will be provided as necessary to meet changes in Oregon law, rules, training guidance or as otherwise deemed appropriate by the ESD.
- E. A copy of the ESD's policy and administrative regulation will be provided to all ESD staff authorized to administer medication to students and others, as appropriate.

3. Administering Medications to Students

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

- A. A written request for the ESD to administer prescription medication must be submitted to the program 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 ESD to administer nonprescription medication must be submitted to the program 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 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 by the parent;

- 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 ESD is informed in writing of any changes in medication instructions;
- 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 ESD-administered medication;
- H. Any error in administration of medication will be reported to the parent immediately and documentation made on the ESD's Accident/Incident Report form. 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 ESD.

4. Self-medication

- A. Self-medication of prescription and nonprescription medication for K-12 students will be allowed subject to the following:
 - (1) A parent (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 or other licensed health care professional is also required. Such permission may be indicated on the prescription label. A written treatment plan from a licensed health care professional for the managing of student's asthma and/or severe allergy will be required for use of medication by the student during school hours. Program administrator 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 school staff. A permission form and written instructions will be required as provided in section 3. 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 student 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 except for manufacture's packaging that contains multiple dosage, the student may carry one package, such as but not limited to bronchodilators/inhalers;
 - (5) Sharing and/or borrowing of medication with another student is strictly prohibited;
- B. For students who have been prescribed bronchodilators or epinephrine, ESD 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.

- C. 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.
- D. Permission to self-medicate may be revoked if the student violates the Board's policy JHCD/JHCDA-Administering Noninjectable/injectable Medicines to Students and/or these regulations. Additionally, students may be subject to discipline, up to and including expulsion, as appropriate.

5. Handling, Storage, Monitoring Medication Supplies

- A. Medication administered by designated ESD staff and self administered medication 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, anticonvulsant, narcotic analgesic or psychotropic medication will be counted by designated school staff in the presence of another school employee upon receipt, documented in the student's medication log and routinely monitored during storage and administration. Discrepancies will be reported to the program administrator 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 ESD staff will follow the written instructions of the physician and parent and training guidelines as may be recommended by ODE for administering all forms of noninjectable/injectable medications.
- D. Medication will be secured as follows:
 - (1) Nonrefrigerated medications will be stored in a locked cabinet, drawer or box used solely for the storage of medication;
 - (2) Medications requiring refrigeration will be stored in a locked box in a refrigerator
 - (3) Access to medication storage keys will be limited to the principal and designated ESD staff.
- E. Designated ESD 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 school staff will notify the parent immediately.

6. Emergency Response

- A. 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 ESD-administered medication or from student self-medication. The parent and administrator will be notified immediately.
- B. Minor adverse reactions that result from ESD-administered medication or from student self-medication will be reported to the parent immediately.

7. Disposal of Medications

- A. Medication not picked up by the parent at the end of the school year or within [five] school days of the end of the medication period, whichever is earlier, will be disposed of by designated school 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, flour etc and place it in impermeable non-descript containers such as empty cans or sealable bags, placing these containers in the trash. Flush prescriptions down the toilet only if the accompanying patient information specifically instructs it is safe to do so. (ONDCP Federal Government Guidelines February 20, 2007);
 - (2) Other medication will be disposed of in accordance with established training procedures.
- B. All medication will be disposed of by designated school staff in the presence of another school employee and documented as described in 8 A below.

8. Documentation and Record Keeping

- A. A medication log will be maintained for each student administered medication by the ESD. 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 signature of the school 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 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 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.

An ESD administrator, nurse, or other ESD employee designated by the ESD administrator, the ESD and members of the ESD board are not liable in a criminal action or for civil damages as a result of a student's use of medication.

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