

**RESOLUTION 25-017 – Approval of Board Policy to be deleted
JHCD/JHCDA-Prescription Medications**

Background: In reviewing the above noted policy, OSBA determined that the changes were quite extensive so they recommend deletion of the current policy JHCD/JHCDA, and replace with the new policy JHCD.

WHEREAS, the Multnomah Education Service District Board of Directors Policy Committee has reviewed Board Policy JHCD/JHCDA-Prescription Medication; and

NOW THEREFORE BE IT RESOLVED, that Board Policy JHCD/JHCDA-Prescription Medication is approved for deletion as written or as further modified; and

BE IT FURTHER RESOLVED, that if no further discussion is required, Board Policy JHCD/JHCDA-Prescription Medication is approved for deletion as proposed and does not require a second reading.

JHCD-JHCDA

Adopted: ~~2/15/11; 8/20/14;~~
~~1/20/15; 8/21/15;~~
~~10/18/16; 6/30/20~~

Prescription Medication *

(If the ESD operates a school, this policy is required.)

~~The MESD recognizes that administering a medication to a student and/or permitting a student to administer a medication to themselves, may be necessary when the failure to take such medication during school hours would prevent the student from attending school, and recognizes a need to ensure the health and well-being of a student who requires regular doses or injections of a medication as a result of experiencing a life-threatening allergic reaction or adrenal crisis¹; or a need to manage hypoglycemia, asthma or diabetes. Accordingly, the MESD may administer or a student may be permitted to administer to themselves a prescription (injectable and noninjectable) and/or nonprescription (noninjectable) medication at school.~~

~~The MESD shall designate personnel authorized to administer medications to students. Annual training shall be provided to designated personnel as required by law in accordance with guidelines approved by the Oregon Department of Education (ODE). When a licensed health care professional is not immediately available, personnel designated by the MESD, with appropriate certification, may administer auto-injectable epinephrine, glucagon or another medication to a student as prescribed and/or allowed by Oregon law.~~

~~[Current first-aid and CPR cards are strongly encouraged for designated personnel.] [A current first-aid and CPR card is required for designated personnel.]~~

~~When a licensed health care professional is not immediately available, personnel designated by the ESD may administer to a student, epinephrine, glucagon or another medication to a student as prescribed and/or allowed by Oregon law.~~

~~The MESD reserves the right to reject a request for ESD personnel to administer, or to permit a student to administer to themselves, a medication when such administration of medication at school, either by MESD personnel or student self-medication, if the medication is not necessary for the student to remain in school.~~

~~The superintendent and/or designee will require that an individualized health care plan and allergy plan is developed for every student with a known life-threatening allergy or a need to manage asthma, and an individualized health care plan for every student for whom the MESD has been given proper notice of a diagnosis of adrenal insufficiency. Such a plan will include provisions for administering medication and/or responding to emergency situations while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in~~

¹ Under proper notice given to the M ESD by a student or student's parent or guardian.

~~a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity.~~

~~A student may be allowed to self-administer a medication for asthma, diabetes, hypoglycemia or severe allergies as prescribed by an Oregon licensed health care professional, upon written and signed request of the parent or guardian and subject to age-appropriate guidelines. This self-administration provision also requires a written and signed confirmation the student has been instructed by the Oregon licensed health care professional on the proper use of and responsibilities for the prescribed medication.~~

~~A request to the MESD to administer or allow a student to self-administer prescription medication or a nonprescription medication that is not approved by the Food and Drug Administration (FDA) shall include a signed prescription and treatment plan from a prescriber² or an Oregon licensed health care professional.~~

~~A request to the MESD to administer or allow a student to self-administer a nonprescription medication that is not approved by the Food and Drug Administration (FDA) shall include a written order from the student's prescriber that meets the requirements of law.~~

~~A written request and permission form signed by a student's parent or guardian, unless the student is allowed to access medical care without parental consent under state law³, is required and will be kept on file.~~

~~If the student is deemed to have violated Board policy or medical protocol by the MESD, the MESD may revoke the permission given to a student to self-administer medication.~~

~~Prescription and nonprescription medication will be handled, stored, monitored, disposed of and records maintained in accordance with established MESD administrative regulations governing the administration of prescription or nonprescription medications to students, including procedures for the disposal of sharps and glass.~~

~~A process shall be established by which, upon parent or guardian written request, a back-up prescribed autoinjectable epinephrine is kept at a reasonably, secure location in the student's classroom as provided by state law.~~

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

² A registered nurse who is employed by a public or private school, ESD or local public health authority to provide nursing services at 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.

³ Subject to ORS 109.610, 109.640 and 109.675.

~~[⁴Naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug may be administered by trained, designated personnel to any student or other individual on school premises who the person believes in good faith is experiencing an overdose of an opioid drug.]~~

~~This policy shall not prohibit, in any way, the administration of recognized first aid to a student by MESD employees in accordance with established state law, Board policy and administrative regulation.~~

~~A school administrator, teacher or other MESD employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administration in good faith and pursuant to state law of prescription and/or nonprescription medication, subject to state law.~~

~~A school administrator, school nurse, teacher or other MESD employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of a student's self-administration of medication, as described in Oregon Revised Statute (ORS) 339.866, whenif that person in good faith and pursuant to state law assisted the student in self-administration of the medication, subject to state law.~~

~~A school administrator, school nurse, teacher or other MESD employee designated by the school administration is not liable in a criminal action or for civil damages, when as a result of the use of medication if that person in good faith administers autoinjectable epinephrine to a student or other individual with a severe allergy, who is unable to self-administer the medication, subject to state law regardless of whether the student or individual has a prescription for epinephrine[, or administers naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug to a student or other individual who that person believes in good faith is experiencing an overdose of an opioid drug].~~

~~The MESD and the members of the MESD Board are not liable in a criminal action or for civil damages when a student or individual is unable to self-administer medication, whenas a result of the use of medication if any person in good faith, on school premises, including at a school, on school property under the jurisdiction of the MESD or at an activity under the jurisdiction of the MESD, administers autoinjectable epinephrine to a student or other individual, subject to state law with a severe allergy who is unable to self-administer the medication, regardless of whether the student or individual has a prescription for epinephrine[, or administers naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug to a student or other individual who the person believes in good faith is experiencing an overdose of an opioid drug].~~

~~The superintendent shall develop administrative regulations as needed to meet the requirements of law, Oregon Administrative Rules and the implementation of this policy.~~

⁴[The ESD is not required to provide or administer this medication. If the ESD plans on providing and administering this medication this policy language and other associated bracketed policy language is required. If the ESD does not plan to provide or administer this medication, do not include this language or other associated bracketed language in this policy.]

END-OF-POLICY

Legal Reference(s):

ORS 109.610	ORS 475.005 - 475.285	OAR 581-022-2220
ORS 109.640		OAR 851-047-0030
ORS 109.675	OAR 166-400-0010(17)	OAR 851-047-0040
ORS 334.125(7)	OAR 166-400-0060(29)	
ORS 339.866 - 339.871	OAR 333-055-0000 - 055-00350115	Senate Bill 665 (2019)
ORS 433.800 - 433.830	OAR 581-021-0037	

~~Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (20128); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (20179);~~
~~OREGON HEALTH AUTHORITY AND OREGON DEPARTMENT OF EDUCATION, *Medication Administration in Oregon Schools: A Manual for School Personnel* (2016).~~