

Prescription/Nonprescription Medications**

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

1. Definitions

- a. **“Medication” means any drug, chemical compound, suspension or preparation in suitable form for use as a curative or remedial substance taken internally or externally but not injected except for premeasured doses of epinephrine, medication to treat adrenal insufficiency and glucagon to treat severe hypoglycemia. Medication includes any prescription for bronchodilators or autoinjectable epinephrine prescribed by a student’s Oregon licensed health care professional for asthma or severe allergies.**
- b. **“Prescription medication” means ~~any noninjectable 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; and 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 OAR 851-047-0040, a registered nurse may administer a subcutaneous injectable medication~~ that under federal law requires a prescription by a prescriber.**
- c. **“Nonprescription medication” means ~~only Food and Drug Administration approved, nonalcohol-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-inflammatory and antacids that do not require written or oral instructions from a physician. Nonprescription medication does not include dietary food supplements or nonprescription sunscreen~~ medication that under federal law does not require a prescription from a prescriber.**
- d. **“Adrenal crisis” means adrenal crisis as defined in Oregon Revised Statute (ORS) 433.800.**
- e. **“Adrenal insufficiency” means adrenal insufficiency as defined in ORS 433.800.**
- f. **“Notice of a diagnosis of adrenal insufficiency” means written notice to the district from a student or the parent or guardian of a student who has been diagnosed as adrenal insufficient with a copy of an order from the student’s physician primary care provider that includes the student’s diagnosis, description of symptoms indicating the student is in crisis, prescription for medication to treat adrenal insufficiency crisis and instructions for follow-up care after medication to treat adrenal insufficiency crisis has been administered.**

- g. ~~“Physician Prescriber”~~¹ means a doctor of medicine or osteopathy, a physician assistant licensed to practice by the Board of Medical Examiners for the state of Oregon, ~~an nurse practitioner with prescriptive authority licensed by the Oregon State Board of Nursing~~ **Oregon-licensed, advance practice registered nurse with prescriptive authority**, 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 **or a pharmacist licensed by the Board of Pharmacy for the state of Oregon.**
- h. ~~“Student self medication” means a student must be able to administer medication to himself/herself without requiring a trained staff member to assist in the administration of the medication.~~
- i. ~~“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, administrator and in the case of a prescription medication, a physician.~~
- j. ~~“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 Oregon Department of Education (ODE), including discussion of applicable district policies, procedures and materials.~~
- k. “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 doctor of medicine or osteopathy or a physician assistant licensed by the Board of Medical Examiners for the state of Oregon**, or a pharmacist licensed by the ~~State~~ Board of Pharmacy for the state of Oregon.
- l. “Severe allergy” means a life-threatening hypersensitivity to a specific substance such as food, pollen, ~~or~~ dust **or insect sting.**
- m. “Asthma” means a chronic inflammatory disorder of the airways that requires ongoing medical intervention.
- n. ~~“Designated staff personnel” means the staff person who is~~ **school personnel** designated by the ~~building principal~~ to administer ~~prescription or nonprescription~~ medication **pursuant to district policy and procedure.**

2. Designated ~~Staff~~ **Personnel**/Training

- a. The principal will designate ~~trained staff~~ **personnel** authorized to administer prescription or nonprescription medication to **a** students while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in a before-**school** or after-school care programs on school-owned property and in transit to or from school or **a** school-sponsored ~~activities~~ **activity, as required by Oregon law.** The principal will supervise and ensure building and activity practices and procedures are consistent with the requirements of law, rules and this administrative regulation.
- b. The principal will ensure the training required by **Oregon** law and ~~Oregon Administrative Rules (OAR)~~ is provided **to designated personnel.** Training must be conducted by a qualified trainer. **Training will be provided annually to designated personnel authorized to administer medication to students. The first year and every third year of training requires in-person instruction; during the intervening years, designated personnel may complete an online training that has been approved by the Oregon Department of Education (ODE) so long as a**

¹A 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.

trainer is available within a reasonable amount of time following the training to answer questions and provide clarification.

- 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, life-threatening allergic reactions or adrenal insufficiency 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 the district's policy and administrative regulation will be provided to all staff authorized to administer medication to students and others, as appropriate.

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

A premeasured dose of epinephrine may be administered by trained, designated ~~district staff~~ **personnel** 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.

4. Administering of Medication to a Student Experiencing Symptoms of Adrenal Crisis

A student experiencing symptoms of adrenal crisis **while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from a school or a school-sponsored activity** may be treated by designated **staff personnel** and shall be subject to the following:

- a. Upon notice of a diagnosis of adrenal insufficiency, as defined in **Oregon Administrative Rule (OAR) 581-021-0037**, the building principal will designate ~~staff~~ **one or more school personnel to be** responsible for administering the medication to treat adrenal insufficiency;
- b. The designated ~~staff~~ **personnel** will successfully complete training to administer medication to treat a student who has adrenal insufficiency and is experiencing symptoms of adrenal crisis in accordance with the rules adopted by the Oregon Health authority;
- c. The ~~student or the~~ student's parent or guardian must provide adequate supply of the student's prescribed medication to the district;
- d. The district will require the development of an individualized health care plan for the student **that includes protocols for preventing exposures to allergens, and establishes if or when a student may self-carry prescription medication when the student has not been approved to self-administer medication;**
- e. In the event that a student experiences symptoms of adrenal crisis and the designated ~~staff~~ **personnel** determines the medication to treat adrenal insufficiency should be administered, any available staff member will immediately call 911 and the student's parent or guardian.

5. Administering Medications to **a** Students

- a. A request ~~for~~ **to permit** designated ~~staff~~ **personnel** to administer medication to a student may be approved by the district and **is** subject to the following:

- (1) A written request for ~~the district~~ designated staff **personnel** to administer prescription medication to a student, if because of the prescribed frequency ~~for the medication or schedule~~, the medication must be given 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 a school-sponsored ~~activities~~ **activity**, must be submitted to the school office and shall include:
- (a) The written ~~signed~~ permission of the **student's** parent or guardian **or the student, if the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675; and**
 - (b) The written instruction from the ~~physician, physician assistant or nurse practitioner~~ **prescriber** for the administration of the ~~prescription~~ medication to the student **including that includes:**
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Method of administration;
 - (iv) Dosage;
 - (v) Frequency of administration; ~~and~~
 - (vi) Other special instructions from the prescriber, if any; and**
 - (vii) Signature of the prescriber.**

The prescription label **prepared by a pharmacist at the direction of the prescriber** will be considered to meet this requirement if it contains the information listed in (i)-(vi) above.

- (2) A written request for ~~the district~~ **designated personnel** to administer nonprescription medication **to a student** must be submitted to the school office and ~~shall include~~ **is subject to the following:**
- (a) The nonprescription medication is necessary for the student to remain in school;**
 - (b) The nonprescription medication is provided in the original manufacturer's container by the parent or guardian of the student;**
 - ~~(c) The written signed permission of the parent or guardian;~~
 - (d) The written instruction from the **student's** parent or guardian for the administration of the nonprescription medication ~~to the student including~~ **that includes:**
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Method of administration;
 - (iv) Dosage;
 - (v) Frequency of administration; and
 - (vi) Other special instructions, if any; and**
 - (vii) Signature of the student's parent or guardian.**

If the written instruction is not consistent with the manufacturer's guidelines for the nonprescription medication, the written instruction must also include a written order allowing the inconsistent administration signed by a prescriber.

- (e) If the nonprescription medication is not approved by the Food and Drug Administration (FDA), a written order from the student's prescriber is required and will include:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Dosage;
 - (iv) Method of administration;
 - (v) Frequency of administration;
 - (vi) A statement that the medication must be administered while the student is in school;
 - (vii) Other special instructions, if any; and
 - (viii) Signature of the prescriber.

b. An individualized health care and allergy plan will be developed for a student with a known life-threatening allergy and will include protocols for preventing exposures to allergens and procedures for responding to life-threatening allergic reactions while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity, and will include a determination on if or when the student may self-carry prescription medication if the student has not been approved to self-administer medication;

~~e. 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 student's parent's or guardian's or the student's, if the student is allowed to seek medical care without parental consent,~~ 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 ~~student's parent's or guardian's or the student's, if the student is allowed to seek medical care without parental consent,~~ responsibility to ensure that the school is informed in writing of any changes in medication instructions;

g. In the event a student refuses medication, the parent ~~or guardian~~ will be notified immediately, ~~except where a student is allowed to seek medical care without parental consent.~~ No attempt will be made to administer medication to a student who refuses ~~district-administered a~~ medication;

h. Any error in administration of ~~a~~ medication will be reported to the parent ~~or guardian~~ immediately, ~~except where a student is allowed to seek medical care without parental consent,~~ and documentation ~~will be~~ made on the district's Accident/Incident Report form. Errors include, but are not limited to, administering medication to the wrong student, administering the wrong medication, dose, frequency of administration, ~~or method of administration, 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.

6. ~~Student Self-medication of a Prescription or Nonprescription Medication~~ Administration of Medication by a Student to Themselves

a. ~~A student self-medication of prescription medication by K-12 students, including a students in kindergarten through grade 12 with asthma or severe allergies, will be allowed~~ may be

permitted to administer medication to themselves without assistance from designated personnel and is subject to the following:

- (1) A student must demonstrate the ability, developmentally and behaviorally, to self-administer prescription medication and must have:
 - (a) ~~A parent or guardian signed~~ permission form ~~from a parent or guardian, except~~ when a student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675, and other documentation requested by the district must be submitted for self-medication of all prescription medications;
 - (b) ~~If the student has asthma, diabetes and/or a severe allergy, A~~a medication that is prescribed by a ~~physician~~ ~~prescriber~~ and a written treatment plan developed by a ~~physician~~ ~~prescriber~~ or other Oregon licensed health care professional for managing of the student's asthma, diabetes and/or severe allergy, and directs use by the student while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care programs on school-owned property and in transit to or from school or a school-sponsored ~~activities~~ ~~activity~~. The ~~physician~~ ~~prescriber~~ will include acknowledgment that the student has been instructed in the correct and responsible use of the prescribed medication;
 - (c) ~~Principal permission for all self-medication of prescription medicine requests is required~~ The permission to self-administer the medication from a building administrator and a prescriber or registered nurse practicing in a school setting.
- (2) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication and must have:
 - (a) The written permission of the student's parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675;
 - (b) The student's name affixed to the manufacturer's original container; and
 - (c) The permission to self-administer medication from a building administrator.
- (3) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication that is not approved by the FDA and must have:
 - (a) The written permission of the student's parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675; and
 - (b) A written order from the student's prescriber that includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Dosage;
 - (iv) Method of administration;
 - (v) Frequency of administration;
 - (vi) A statement that the medication must be administered while the student is in school;

- (vii) Other special instructions, if any; and
- (viii) Signature of the prescriber.

- 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 district 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 medicine requests is required.~~
- e. ~~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 5 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 dosage, 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;~~
- h. For a students who have has been prescribed bronchodilators or epinephrine, staff the designated personnel 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 request from a parent request or guardian and with a physician's prescriber'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. A student shall not administer medication to themselves until the necessary permission form and written instruction have been submitted as required by the district;
- k. Permission to self-medicate for a student to administer medication to themselves may be revoked if the student violates the Board policy and/or these this administrative regulations.;

- l. ~~Additionally,~~ A students may be subject to discipline, up to and including expulsion, as appropriate;
 - m. A student permitted to administer medication to themselves may be monitored by designated personnel to monitor the student's response to the medication.
7. Handling, ~~Storage,~~ Monitoring and Safe Storage of Medication Supplies for Administering Medication to Students
- a. Medication administered by designated ~~staff~~ personnel to a student or self administered by the a 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.
 - b. Medication in capsule or tablet form and categorized as a sedative, stimulant, anticonvulsant, narcotic analgesic or psychotropic medication will be counted by designated ~~staff~~ personnel 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 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~~ personnel will follow the written instructions of the ~~physician~~ prescriber and the student or the student's parent or guardian and training guidelines as may be recommended by the ODE for administering all forms of prescription and/or nonprescription medications.
 - d. Medication will be secured as follows:
 - (1) Nonrefrigerated 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;
 - (3) Access to medication storage keys will be limited to the principal and designated ~~school~~ ~~staff~~ personnel.
 - e. Designated ~~staff~~ personnel 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~~ personnel will notify the student's parent or guardian or the student (in situations involving ORS 109.610, 109.640 and 109.675) immediately.
8. Emergency Response
- a. Designated ~~staff~~ personnel 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 or guardian and 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 or guardian immediately, ~~except when a student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675,.~~
 - c. Any available district staff will immediately call 911 and the student's parent or guardian if the designated ~~staff member~~ personnel believes the student is experiencing symptoms of adrenal crisis and plans to administer medication.

9. Disposal of Medications

- a. Medication not picked up by the **student's parent or guardian or the student, when allowed pursuant to ORS 109.610, 109.640 and 109.675**, 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 **staff personnel** in a nonrecoverable fashion as follows:

- (1) Medication ~~in capsule, tablet or liquid form~~ will be removed from ~~their~~ **its** original container ~~(destroy any and personal information)~~ **will be destroyed;**
- (2) ~~Crush~~ **Solid medications will be crushed**, mixed or dissolved in water ~~(this applies to and liquid as well)~~ **will be mixed or dissolved in water;** and
- (3) ~~Mixed~~ with an undesirable substance, ~~such as e.g.,~~ coffee grounds, kitty litter, flour, etc.; and
- (4) ~~Placed~~ **it** in impermeable, non-descript containers, ~~such as e.g.,~~ empty cans or sealable bags; and
- (5) ~~placing these containers~~ **Placed** in the trash.

~~Flush~~ **Prescriptions will be flushed** down the toilet only if the accompanying patient information specifically instructs it is safe to do so ~~(ONDCP Federal Government Guidelines February 20, 2007);~~.

~~(6)~~ 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 ~~school~~ **staff personnel** in the presence of another school employee and documented as described in Section 10. below.

10. ~~Documentation~~ **Transcribing, Recording** and Record Keeping

- 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 **of the student, name of the medication**, ~~dose and route of medication administered~~ **dosage**, date; and time of administration, **frequency of administration** and **the** name of the person administering the medication;
- (2) Student refusals of medication;
- (3) Errors in administration of medication²;
- (4) **Incidents of Emergency and minor adverse reaction incidents¹ by a student to medication;**
- (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~~ **medications**, including permissions ~~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

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

individualized education program. Records will be retained in accordance with applicable provisions of OAR 166-400-0010(17) and OAR 166-400-0060(29).

- c. Student ~~medical files~~ **health information** will be kept confidential. Access shall be limited to those designated ~~school staff~~ **personnel** authorized to administer medication to students, the student and his/her parents **or guardian**. Information may be shared with **other** staff with a legitimate educational interest in the student or others as may be authorized by the parent **or guardian** in writing **or others as allowed under state and federal law**.

~~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 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 autoinjectable 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 members of the 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 autoinjectable epinephrine to a student or individual, as per state law.~~