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MSBA/MASA Model Policy 516

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## **516 STUDENT MEDICATION**

### **I. PURPOSE**

The purpose of this policy is to set forth the provisions that must be followed when administering nonemergency prescription medication to students at school.

### **II. GENERAL STATEMENT OF POLICY**

The cooperative acknowledges that some students may require prescribed drugs or medication during the school day. The cooperative's licensed school nurse, trained health clerk, or teacher will administer prescribed medications in accordance with law and cooperative procedures.

### **III. REQUIREMENTS**

- A. The administration of prescription medication or drugs at school requires a completed signed request from the student's parent. An oral request must be reduced to writing within two school days, provided that the cooperative may rely on an oral request until a written request is received.
- B. An "Administering Prescription Medications" form must be completed annually (once per school year) and/or when a change in the prescription or requirements for administration occurs. Included with this document is permission to contact the prescribing practitioner for a medical order.
- C. Prescription medication must come to school in the original container labeled for the student by a pharmacist in accordance with law, and must be administered in a manner consistent with the instructions on the label.

If medication is discontinued school must be notified in writing by the parent. A medical order to discontinue giving the medication at school must be obtained by the parent or school

- D. Prescription medications are not to be carried by the student, and must be delivered to the school by a responsible adult and be received by school staff. Exceptions to this requirement are: prescription asthma medications self-administered with an inhaler (See Part J.5. below), and medications administered as noted in a written agreement between the cooperative and the parent or as specified in an IEP (individualized education program), Section 504 plan, or IHP (individual health plan).

- E. The school must be notified immediately by the parent or student 18 years old or older in writing of any change in the student's prescription medication administration. A new medical authorization or container label with new pharmacy instructions shall be required immediately as well.
- F. For drugs or medicine used by children with a disability, administration may be as provided in the IEP, Section 504 plan or IHP.
- G. The cooperative nurse, or other designated person, shall be responsible for the filing of the Administering Prescription Medications form in the health records section of the student file. The cooperative nurse, or other designated person, shall be responsible for providing a copy of such form to the teacher and to other personnel designated to administer the medication.
- H. Procedures for administration of drugs and medicine at school and school activities shall be developed in consultation with a cooperative nurse, a licensed cooperative nurse, or a public or private health organization or other appropriate party (if appropriately contracted by the cooperative under Minn. Stat. § 121A.21). The cooperative administration shall submit these procedures and any additional guidelines and procedures necessary to implement this policy to the cooperative board for approval. Upon approval by the cooperative board, such guidelines and procedures shall be an addendum to this policy (Appendix A).
- I. Specific Exceptions:
  - 1. Special health treatments and health functions such as catheterization, tracheostomy suctioning, and gastrostomy feedings do not constitute administration of drugs and medicine;
  - 2. Emergency health procedures, including emergency administration of drugs and medicine are not subject to this policy;
  - 3. Drugs or medicine provided or administered by a public health agency to prevent or control an illness or a disease outbreak are not governed by this policy;
  - 4. Drugs or medicines used at school in connection with services for which a minor may give effective consent are not governed by this policy;
  - 5. Drugs or medicines that are prescription asthma or reactive airway disease medications can be self-administered by a student with an asthma inhaler if:
    - a. the cooperative has received a written authorization from the pupil's parent permitting the student to self-administer the medication;
    - b. the inhaler is properly labeled for that student; and

- c. the parent has not requested cooperative personnel to administer the medication to the student.

The parent must submit written authorization for the student to self-administer the medication each school year. In a cooperative that does not have a cooperative nurse or school nursing services, the student's parent or guardian must submit written verification from the prescribing professional which documents that an assessment of the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting has been completed.

If the Cooperative employs a cooperative nurse or provides school nursing services under another arrangement, the cooperative nurse or other appropriate party must assess the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting and enter into the student's school health record a plan to implement safe possession and use of asthma inhalers;

6. Medications:
  - a. that are used off school grounds;
  - b. that are used in connection with athletics or extracurricular activities; or
  - c. that are used in connection with activities that occur before or after the regular school day are not governed by this policy.
7. Nonprescription Medication. A secondary student may possess and use nonprescription pain relief in a manner consistent with the labeling, if the cooperative has received written authorization from the student's parent or guardian permitting the student to self-administer the medication. The parent or guardian must submit written authorization for the student to self-administer the medication each school year. The cooperative may revoke a student's privilege to possess and use nonprescription pain relievers if the cooperative determines that the student is abusing the privilege. This provision does not apply to the possession or use of any drug or product containing ephedrine or pseudoephedrine as its sole active ingredient or as one of its active ingredients. Except as stated in this paragraph, only prescription medications are governed by this policy.
8. At the start of each school year or at the time a student enrolls in school, whichever is first, a student's parent, school staff, including those responsible for student health care, and the prescribing medical professional must develop and implement an individualized written health plan for a student who is prescribed nonsyringe injectors of epinephrine

that enables the student to:

- a. possess nonsyringe injectors of epinephrine; or
- b. if the parent and prescribing medical professional determine the student is unable to possess the epinephrine, have immediate access to nonsyringe injectors of epinephrine in close proximity to the student at all times during the instructional day.

The plan must designate the cooperative staff responsible for implementing the student's health plan, including recognizing anaphylaxis and administering nonsyringe injectors of epinephrine when required, consistent with state law. This health plan may be included in a student's § 504 plan.

J. "Parent" for students 18 years old or older is the student.

**Legal References:** Minn. Stat. § 13.32 (Student Health Data)  
Minn. Stat. § 121A.21 (Hiring of Health Personnel)  
Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)  
Minn. Stat. § 121A.221 (Possession and Use of Asthma Inhalers by Asthmatic Students)  
Minn. Stat. § 121A.222 (Possession and Use of Nonprescription Pain Relievers by Secondary Students)  
Minn. Stat. § 121A.2205 (Possession and Use of Nonsyringe Injectors of Epinephrine; Model Policy)  
Minn. Stat. § 151.212 (Label of Prescription Drug Containers)  
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Improvement Act of 2004)  
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)

**Cross References:** MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)