

Administering Medication and Monitoring Health Conditions

The Solano County Office of Education (SCOE) recognizes that, during the school day, some students may need to take medication prescribed or ordered by an authorized health care provider in order to be able to attend school. The County Superintendent or designee shall develop processes for the administration of medication to these students. For any student with a disability, as defined under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973, necessary medication shall be administered in accordance with the student's individualized education program IEP or Section 504 services plan.

If the parent/guardian so chooses, s/he may administer the medication to his/her child at school or designate another individual who is not a school employee to administer the medication to the student.

Self-Administration and Monitoring

Upon written request by the parent/guardian and with the approval of the student's physician, a student with a medical condition that requires frequent treatment, monitoring, or testing may be allowed to self-administer, self-monitor, and/or self-test. The student shall observe universal precautions in the handling of blood and other bodily fluids.

Administration of Medication by School Personnel

Prescribed medication may be administered by the school nurse or other designated school personnel only when the Superintendent or designee has received written statements from both a student's parent/guardian and physician or authorized health care provider.

To the extent that the administration of a medication, such as epinephrine auto-injector or glucagon, is authorized by law, the Superintendent or designee shall ensure that unlicensed staff members designated to administer it to students receive appropriate training from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, the recognition of symptoms and treatment, emergency follow-up procedures, and the proper documentation and storage of medication. Such trained, unlicensed designated school personnel shall be supervised by and provided with emergency communication access to a school nurse, physician, or other appropriate individual.

The Superintendent or designee shall maintain documentation of the training, ongoing supervision, as well as annual written verification of competency of such other designated school personnel.

Staff authorized to administer the medication shall do so in accordance with law, SCOE policies, and administrative regulations and shall be afforded appropriate liability protection.

Definitions (5 CCR 601)

Other designated school personnel may include any individual employed by SCOE who has consented to administer the medication or otherwise assist the student, and who may legally administer the medication.

Medication may include not only a substance dispensed in the United States by prescription, but also a substance that does not require a prescription, such as over-the-counter remedies, nutritional supplements, and herbal remedies.

Notifications to Parents/Guardians

At the beginning of each school year, the Superintendent or designee shall notify parents/guardians that students who need to take prescribed medication during the school day may be assisted by a school nurse or designated school personnel or allowed to self-administer certain medication as long as SCOE receives written statements from the student's physician and parent/guardian in accordance with law, SCOE policy, and administrative regulation.

The Superintendent or designee shall inform the parents/guardians of any student on a continuing medication regimen for a nonepisodic condition of the following requirements:

1. The parent/guardian is required to inform the school nurse or other designated employee of the medication being taken, the current dosage, and the name of the supervising physician.
2. With the parent/guardian's consent, the school nurse or other designated employee may communicate with the student's physician regarding the medication and its effects, and may counsel school personnel regarding the possible effects of the medication on the student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose.

Parent/Guardian Responsibilities

Before a designated employee administers or assists in the administration of any prescribed medication to any student, or before any student is allowed to carry and self-administer prescription auto-injectable epinephrine or prescription inhaled asthma medication during school hours, SCOE shall have a written statement from the student's physician and a written statement from the student's parent/guardian.

The physician's written statement shall clearly: (5 CCR 602)

1. Identify the student
2. Identify the medication
3. Specify the method, amount, and time schedules by which the medication is to be taken
4. Contain the name, address, telephone number, and signature of the physician
5. If a parent/guardian has requested that his/her child be allowed to self-administer prescription auto-injectable epinephrine or prescription inhaled asthma medication, confirm that the student is able to self-administer the medication

The parent/guardian's written statement shall:

1. Identify the student
2. Grant permission for the authorized SCOE representative to communicate directly with the student's physician, as may be necessary, regarding the physician's written statement or any other questions that may arise with regard to the medication
3. Contain an acknowledgment that the parent/guardian understands how SCOE employees will administer or otherwise assist the student in the administration of medication
4. Contain an acknowledgment that the parent/guardian understands his/her responsibilities to enable SCOE employees to administer or otherwise assist the student in the administration of medication including, but not limited to, the parent/guardian's responsibility to provide a written statement from the physician and to ensure that the medication is delivered to the school in a proper container by an individual legally authorized to be in possession of the medication
5. Contain an acknowledgment that the parent/guardian may terminate consent for such administration at any time

Policy 5141.21 (Continued)

If a parent/guardian has requested that his/her child be allowed to carry and self-administer prescription auto-injectable epinephrine or prescription inhaled asthma medication, the parent/guardian's written statement shall also:

1. Consent to the self-administration
2. Release SCOE personnel from civil liability if a student suffers an adverse reaction as a result of self-administering the medication

The parent/guardian shall annually provide the Superintendent or designee a new written statement from himself/herself and the student's physician. In addition, the parent/guardian shall provide a new physician statement if the medication, dosage, frequency of administration, or reason for administration changes.

Parents/guardians shall provide medications in a properly labeled, original container along with the physician's instructions. For prescribed medication, the container shall bear the name and telephone number of the pharmacy, the student's identification, name and phone number of the physician, and physician's instructions. Medications that are not in their original container shall not be accepted or administered. Medications shall be delivered to the school by the parent/guardian, unless the Superintendent or designee authorizes another method of delivery.

The parent/guardian of a student on a continuing medication regimen for a nonepisodic condition shall inform the school nurse or other designated certificated employee of the medication being taken, the current dosage, and the name of the supervising physician.

A parent/guardian may designate an individual who is not an employee of SCOE to administer medication to his/her child as long as the individual is clearly identified, willing to accept the designation, permitted to be on the school site, and any limitations on the individual's authority are clearly established. The parent/guardian shall provide a written statement designating the individual and containing the information required above.

Designated Employee/SCOE Responsibilities

The school nurse or other designated school personnel shall:

1. Administer or assist in administering the medication in accordance with the physician's written statement
2. Accept delivery of medication from the student's parent/guardian, including counting and recording the medication upon receipt
3. Maintain a list of students needing medication during the school day, including the type of medication, times, and dosage, as well as a list of students who are authorized to self-administer medication
4. Maintain a medication log documenting the administration of medication including the student's name, name of medication the student is required to take, dose of medication, method by which the student is required to take the medication, time the medication is to be taken during the regular school day, date(s) on which the student is required to take the medication, physician's name and contact information, and a space for daily recording of medication administration

The daily record shall contain the date, time, amount of medication administered, and signature of the individual administering the medication.

5. Maintain a medication record including the physician's written statement, the parent/guardian's written statement, the medication log, and any other written documentation related to the administration of medication to the student
6. Ensure that student confidentiality is appropriately maintained

7. Coordinate the administration of medication during fieldtrips and after-school activities
8. Report any refusal of a student to take his/her medication to the parent/guardian
9. Keep all medication to be administered by SCOE in a locked drawer or cabinet
10. Communicate with the physician regarding the medication and its effects
11. Counsel school personnel regarding the possible effects of the medication on the student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission or overdose.
12. By the end of the school year, ensure that unused, discontinued, and outdated medication is returned to the student's parent/guardian where possible or, if the medication cannot be returned, is disposed of in accordance with state laws and local ordinances.

Legal Reference:

EDUCATION CODE

- 48980 Notification at beginning of term
- 49407 Liability for treatment
- 49408 Emergency information
- 49414 Emergency epinephrine auto-injectors
- 49414.5 Providing school personnel with voluntary emergency training
- 49422-49427 Employment of medical personnel, especially:
 - 49423 Administration of prescribed medication for student
 - 49423.1 Inhaled asthma medication
 - 49423.5 Specialized health care services
 - 49426 School nurses
- 49480 Continuing medication regimen; notice

BUSINESS AND PROFESSIONS CODE

- 2700-2837 Nursing, especially:
 - 2726 Authority not conferred
 - 2727 Exceptions in general
- 3501 Definitions

CODE OF REGULATIONS, TITLE 5

- 600-611 Administering medication to students

UNITED STATES CODE, TITLE 20

- 1232g Family Educational Rights and Privacy Act of 1974
- 1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

- 794 Rehabilitation Act of 1973, Section 504

COURT DECISIONS

- American Nurses Association v. O'Connell, (2010) 185 Cal.App.4th 393

Policy Cross-Reference:

- 3530 Risk Management/Insurance
- 4119.43 Universal Precautions
- 5125 Student Records
- 5141 Health Care and Emergencies
 - 5141.22 Infectious Diseases
 - 5141.23 Asthma Management
 - 5141.24 Specialized Health Care Services
 - 5141.27 Food Allergies/Special Dietary Needs
- 5145.6 Parental Notifications
- 6164.6 Identification and Education Under Section 504
- 6159 Individualized Education Program