

**Policy**

ADMINISTERING MEDICATION

The Township of Union Board of Education shall not be responsible for the diagnosis and treatment of student illness. The administration of medication to a student during school hours will be permitted only when failure to take such medicine would jeopardize the health of the student, or the student would not be able to attend school if the medicine were not made available to him/her during school hours.

For purposes of this policy, "medication" shall include all medicines prescribed by a physician for the particular student, including emergency medication in the event of bee stings, medication for asthma, diabetes or other medical diagnosis requiring medication during the school day, and all non-prescription "over the counter" medication (see policy 5141 Health).

Before any medication may be administered to or by any student during school hours, the board shall require the written request of the parent/guardian which shall give permission for such administration and relieve the board and its employees of liability for administration of medication. In addition, the board requires the written order of the prescribing physician which shall include:

- A. The purpose of the medication;
- B. The dosage;
- C. The time at which or the special circumstances under which medication shall be administered;
- D. The length of time for which medication is prescribed;
- E. The possible side effects of the medication.

Both documents shall be kept on file in the office of the school nurse.

The district medical inspector shall develop procedures for the administration of medication which provide that:

- A. All medications, whether prescribed or "over the counter", shall be administered by the medical inspector, school nurse or substitute school nurse, the parent/guardian or the student himself/herself where the parent/guardian so permits and with the school nurse present;
- B. Medications shall be securely stored and kept in the original labeled container;
- C. The school nurse shall maintain a record of the name of the student to whom medication may be administered, the prescribing physician, the dosage and timing of medication and a notation of each instance of administration;
- D. All medications shall be brought to school by the parent/guardian or adult student and shall be picked up at the end of the school year or the end of the period of medication, whichever is earlier;
- E. A student may self-administer medication without supervision of the school nurse for asthma or other life-threatening illnesses. "Life-threatening illness" has been defined as an illness or condition that requires an immediate response to specific symptoms or sequelae that if left untreated may lead to potential loss of life such as, but not limited to, the use of an inhaler to treat an asthma attack or the use of an adrenalin injection to treat a potential anaphylactic reaction.

ADMINISTERING MEDICATION (continued)

Each school in the district shall have and maintain at least one nebulizer in the office of the school nurse or at a similar accessible location. The superintendent shall prepare and the board shall adopt regulations on the administration of asthma medication through the use of a nebulizer by the school nurse or his/her designee(s). Regulations shall be in accord with New Jersey statute and administrative code and shall include, but not be limited to the following:

- A. Requirement that each school nurse shall be authorized to administer asthma medication through use of a nebulizer;
- B. Requirement that each school nurse receive training in airway management and in the use of nebulizers and inhalers consistent with nationally recognized standards;
- C. Requirement that each student authorized to use asthma medication or a nebulizer have an asthma treatment plan prepared by the student's physician that identifies, at a minimum, asthma triggers and an individualized health care plan for meeting the medical needs of the student while attending school or a school-sponsored event.

Student Self-Administration of Medication

The board shall permit self-administration of medication for asthma, diabetes or other potentially life-threatening illnesses by students who have the capability for self-administration of medication, both on school premises during regular school hours and off-site or after regular school hours when a student is participating in field trips or extracurricular activities. Parents/guardians of the student must meet the following conditions:

- A. Provide the board with written authorization for the student's self-administration of medication;
- B. Provide written certification from the student's physician that the student has asthma or another potentially life-threatening illness and is capable of and has been instructed in the proper method of self-administration of medication;
- C. Sign a statement acknowledging that the district shall incur no liability as a result of any injury arising from the self-administration of medication by the student and that the parents/guardians shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the self-administration of medication by the student.

The board shall:

- A. Inform the student and his/her parents/guardians that permission is effective for the school year for which it is granted and must be renewed for each subsequent school year upon fulfillment of requirements listed above;
- B. Inform parents/guardians in writing that the district and its employees or agents shall incur no liability as a result of any injury arising from the self-administration of medication;
- C. Maintain the right to revoke a student's permission to self-medicate if he/she has failed to comply with all conditions of this policy and/or has violated in any way the tenets of the agreement to self-medicate. The superintendent shall confer with the school physician and school nurse prior to recommending termination of a student's permission to self-medicate and shall also consult with the student, the student's parents/guardians and the student's physician.

Upon written request of the parent or guardian and as provided in the individualized health care plan, the student shall be allowed to attend to the management and care of his/her diabetes in the classroom or on school grounds, if evaluated and determined to be capable of doing so consistent with the plan, and N.J.S.A. 18A:40-12.15 and board policy 5141 Health for specific rules regarding diabetes management.

ADMINISTERING MEDICATION (continued)Emergency Administration of Epinephrine

The board shall permit the school nurse or medical inspector to administer epinephrine via epi-pen or other pre-filled auto-injector mechanism in emergency situations. In their absence, a designee or designees who are employees of the board may do so.

The designees must be properly trained by the school nurse in the administration of the epi-pen or other pre-filled auto-injector mechanism using the standardized training protocol designated by the State Department of Education. Each designee shall receive individual training for each student for whom he/she is designated.

The board shall inform the student's parents/guardians in writing that if the specified procedures are followed, the district, its employees and agents shall have no liability as a result of any injury arising from the administration of the epi-pen or other pre-filled auto-injector mechanism to the student.

Parents/guardians shall provide the board with the following:

- A. Written orders from the physician that the student requires the administration of epinephrine for anaphylaxis and does not have the capability for self-administration of the medication;
- B. Written permission for the administration of epinephrine via epi-pen or other pre-filled auto-injector mechanism by the school nurse or designee(s);
- C. A signed statement acknowledging their understanding that if the specified procedures are followed, the district shall have no liability as a result of any injury arising from the administration of the epi-pen or other pre-filled auto-injector mechanism by the school nurse or designee(s) to the student and that the district, its employees, and agents shall be indemnified and held harmless against any claims arising out of the administration of the epi-pen or other pre-filled auto-injector mechanism to the student.

Permission for the administration of epinephrine via epi-pen or other pre-filled auto-injector mechanism shall be granted annually and must be renewed each school year upon the fulfillment of the above requirements.

Placement and Availability of Epinephrine, and Transportation to Hospital Emergency Room

Pursuant to P.L. 2007, C. 57, school policy requires:

- A. The placement of a student's prescribed epinephrine in a secure but unlocked location easily accessible by the school nurse and designees to ensure prompt availability in the event of an allergic emergency at school or at a school-sponsored function. The location of the epinephrine shall be indicated on the student's emergency care plan. Back-up epinephrine shall also be available at the school if needed;
- B. The school nurse or designee to be promptly available on site at the school and school-sponsored functions in the event of an allergic reaction; and
- C. The transportation of the student to a hospital emergency room by emergency services personnel after the administration of epinephrine, even if the student's symptoms appear to have resolved.

When implementing school policy and P.L. 2007, C. 57, staff should consult these NJDOE documents.

N.J.S.A. 18A:40-12.5 requires the placement of a pupil's prescribed epinephrine and a supply of epinephrine prescribed under the standing protocol from a licensed physician in a secure but unlocked location easily accessible by the school nurse and trained designees to ensure prompt availability in the event of an allergic emergency at school or at a school-sponsored function.

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N.J.S.A. 18A:40-12.6c authorizes the school nurse in consultation with the board of education to recruit and train additional school employees to administer epinephrine.

Liability for the Emergency Administration of Epinephrine

No school employee, including a school nurse, or any other officer or agent of a board, or a physician or an advanced practice nurse providing a prescription under a standing protocol for school epinephrine shall be held liable for any good faith act or omission consistent with the provisions of law for the administration of epinephrine (N.J.S.A. 18A:40-12.5 et seq.). No action shall be taken before the New Jersey State Board of Nursing against a school nurse for any such action taken by a person designated in good faith by the school nurse to administer epinephrine according to law (N.J.S.A. 18A:40-12.6). Good faith shall not include willful misconduct, gross negligence or recklessness.

Emergency Administration of Opioid Antidote (Naloxone Hydrochloride)

The district shall maintain a supply of the opioid antidote, naloxone, and administer the opioid antidote to any student, school personnel or other person believed to be experiencing an opioid overdose during school hours or during on-site school-sponsored activities to block the opioids life-threatening effects. Therefore the school physician shall include naloxone in the prescribed standing order for the school district.

Naloxone shall be stored in a safe accessible location, and according to the manufacturer's directions regarding the heat and cold sensitivity of the medication. To the extent that is safe and practical, the naloxone shall be stored at a reasonable proximity of an automated external defibrillator (AED). The school nurse shall be responsible for monitoring the on-site inventory of naloxone, arranging for the replacement of naloxone supply and ensuring the appropriate and safe disposal of administered and expired naloxone applicators.

Any student suspected of being under the influence of drugs or alcohol including students suspected of an opioid overdose shall be subject to board policy 5131.6 Drugs, Alcohol, Steroids and Tobacco and law (N.J.A.C. 6A:16-3) regarding prevention, identification, examination, treatment, intervention and referral for substance abuse.

Written notification of the board opioid overdose policy shall be distributed annually to parent's/guardian's and adult students and shall provide a means for the student's parent/guardian or the adult student to provide written refusal for the emergency administration of the medication. The notification shall inform parents/guardians and adult students that the board authorizes the certified school nurse or other appropriately licensed school health professionals deemed capable of administering naloxone by a health care professional, to administer naloxone. In addition, the notification shall also include that volunteer, unlicensed school personnel appropriately trained through a Department of Human Services (DHS) endorsed program may also be authorized to administer naloxone (see attachment).

The school nurse shall be responsible for the assessment of any student suspected of being under the influence of drugs or alcohol including any student suspected of an overdose. When the school nurse has assessed that a student is experiencing an opioid overdose the school nurse, or other appropriately licensed school health professionals deemed capable of administering naloxone by a health care professional, or volunteer trained through a Department of Human Services (DHS) endorsed program to administer naloxone may administer the opioid antidote naloxone.

The school nurse or his or her designee shall immediately call 911 upon suspecting an overdose, and notify the parents/guardians as soon as practicable. The school nurse or designee shall notify the building principal of any suspected overdose and all actions taken including the administration of naloxone and the notification of emergency medical services.

The student shall be transported to the nearest hospital. The principal shall designate a member of the school staff to accompany the student to the hospital. The principal shall notify the chief school administrator

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whenever naloxone is administered.

The school nurse shall document the incident including but not limited to:

- A. Date, time and location of the incident;
- B. Names of any staff members or students reporting the incident;
- C. A description of the incident;
- D. Description of the evaluation conducted;
- E. The administration of naloxone including the form and dosage;
- F. All actions taken, including, when 911 was called, when emergency services arrived, staff assigned to accompany the student.

The documentation shall be in the same manner as the documentation of administration of other medications under a non-patient specific order.

Parents/guardians shall be notified of district policies and procedures for the administration of naloxone. The school nurse shall be responsible for the development and regular review of policies and procedures regarding the naloxone. The policies and procedures for the use of naloxone shall be included in district emergency response procedures.

Liability for the Administration of Naloxone

Non-health care professionals who have received patient overdose information issued by the Department of Health shall have immunity from civil and criminal liability, for administering an opioid antidote (defined as naloxone hydrochloride or any other similarly acting drug approved by the United States Food and Drug Administration) in an emergency to a person who he/she believes, in good faith, is experiencing an opioid overdose, provided the requirements of the Overdose Prevention Act (N.J.S.A. 24:6J-1 et seq.) have been met.

A health care professional or pharmacist who, acting in good faith, prescribes or dispenses an opioid antidote to a patient capable, in the judgment of a health care professional, of administering the opioid antidote in an emergency, shall not be subject to any criminal or civil liability, or to professional disciplinary action under Title 45 for prescribing or dispensing an opioid antidote in accordance with the Act. Additionally, the legal protections contained in the Act are designed to encourage overdose victims and witnesses to seek medical assistance in the event of an overdose emergency.

A person who, in good faith, seeks medical assistance for someone experiencing a drug overdose shall not be arrested, charged, prosecuted, or convicted for obtaining, possessing, using, being under the influence of, or failing to make lawful disposition of, a controlled dangerous substance, controlled substance analog, inhaling the fumes of or possessing any toxic chemical, prescription legend drug, stramonium preparation, lawfully prescribed or dispensed drug, and drug paraphernalia.

Implementation

The board may adopt additional regulations on all aspects of the administration of medication. When implementing school policy and N.J.S.A. 18A:40-12.6, staff will consult these New Jersey Department of Education guidance documents:

- A. Training Protocols for the Emergency Administration of Epinephrine (9/08);

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B. Guidelines for the Management of Life-Threatening Food Allergies in Schools (9/08).

Date:

Legal References: Use legal reference sheet.

Cross References: List your appropriate policies. See legal reference sheet for possibilities.

Key Words

Administering Medication, Medication in School, Nebulizer, Epinephrine, Anaphylaxis, Asthma

Adopted: June 1999  
 NJSBA Review/Update: June 2016  
 Readopted: December 2016

Key Words

Administering Medication, Medication in School, Nebulizer

<b><u>Legal References:</u></b>	<p><u>N.J.S.A.</u> 18A:11-1  <u>N.J.S.A.</u> 18A:40-1    <u>N.J.S.A.</u> 18A:40-3.2 <u>et seq.</u>  <u>N.J.S.A.</u> 18A:40-4    <u>N.J.S.A.</u> 18A:40-7  <u>N.J.S.A.</u> 18A:40-12.3                    through -12.4  <u>N.J.S.A.</u> 18A:40-12.5    <u>N.J.S.A.</u> 18A:40-12.6    <u>N.J.S.A.</u> 18A:40-12.7  <u>N.J.S.A.</u> 18A:40-12.8    <u>N.J.S.A.</u> 18A:54-20  <u>N.J.S.A.</u> 45:11-23  <u>N.J.A.C.</u> 6A:16-1.1 <u>et seq.</u>                  See <u>particularly:</u>  <u>N.J.A.C.</u> 6A:16-1.3,                  -1.4(a), -2.1, -2.2, -2.3, -2.4</p>	<p>General mandatory powers and duties                  Employment of medical inspectors, optometrists and nurses; salaries; terms; rules                  Medical and Nursing Personnel                  Examination for physical defects and screening of hearing of students                  Exclusion of students who are ill                  Self-administration of medication by student; conditions                    Policy for emergency administration of epinephrine to public school students                  Administration of epinephrine; primary responsibility; parental consent                  Nebulizer                  Administration of asthma medication by school nurse through nebulizer; training; student asthma treatment plan                  Powers of board (county vocational schools)                  Definitions                  Programs to Support Student Development</p>
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Bernards Township Education Association v. Bernards Township Board of Education, 1981 S.L.D. (9/29/81), aff'd State Board, 1982 S.L.D. 4/7/82, aff'd App. Div., unpublished opinion (A-4211-81T3, 5/18/83)

Communications Workers of America, Local 1033, On behalf of Karen Norton,

ADMINISTERING MEDICATION (continued)

Barbara Woolston, Mary Ellen Schoen et al. v. New Jersey State Department of Education, Marie H. Katzenbach School for the Deaf, State Board Docket #52-91

Policy Advisory #1 on N.J.S.A. 18A:40-12.3 et seq. Self-Administration of Medication By a Student, New Jersey State Department of Education, June 5, 1995

Protocol and Implementation Plan for the Emergency Administration of Epinephrine by a Delegate Trained by the School Nurse, New Jersey State Department of Education, October, 1998

**Possible**

**Cross References:**

*5131.6	Drugs, alcohol, tobacco (substance abuse)
*5141	Health
*5141.1	Accidents
*5141.2	Illness
*5141.3	Health examinations and immunizations
*6153	Field trips

\*Indicates policy is included in the Critical Policy Reference Manual.

EMERGENCY ADMINISTRATION OF NALOXONE FOR DRUG OVERDOSE

Dear \_\_\_\_\_  
Parent/Guardian

Time is of the essence when a drug overdose is occurring, or is believed to be occurring. Administering an opioid antidote (defined as naloxone hydrochloride or any other similarly acting drug approved by the United States Food and Drug Administration) blocks effects of opioids and can reverse a potentially life threatening overdose.

In accordance with the New Jersey Law (*P.L. 2013, c. 46*), the "Overdose Prevention Act" the school physician annually prescribes naloxone as part of the district's physician standing order. Naloxone shall be administered in an emergency to any student, school personnel or other person during school hours or during on-site school-sponsored activities believed to be experiencing a opioid overdose. The board authorizes that the drug may be administered by the school doctor, the school nurse, other appropriately licensed health professionals deemed capable of administering naloxone by a health care profession, or volunteer trained through a Department of Human Services (DHS) endorsed program to administer naloxone.

The \_\_\_\_\_ Board of Education hereby informs you that if board-approved policy and procedures are followed, the district and its employees shall incur no liability whatsoever for any and all claims, damages, losses and expenses of any kind, including reasonable attorney's fees as a result of any injury arising from the emergency administration of naloxone.

- I consent to allowing the administration of naloxone to my child if it is believed that he/she may be experiencing a drug overdose.
- I do not consent to allowing the administration of naloxone to my child if it is believed that he/she may be experiencing a drug overdose.

\_\_\_\_\_  
Parent/Guardian

\_\_\_\_\_  
Date

**Attach board policy and regulation: 5141.21 Administration of Epinephrine**