

1                   **ADMINISTRATION OF MEDICATION TO STUDENTS**

2                                   **AMENDMENT**

3   2017 GENERAL SESSION

4   STATE OF UTAH

5                                   **Chief Sponsor: Mike K. McKell**

6                                   Senate Sponsor: Curtis S. Bramble

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8 **LONG TITLE**

9 **General Description:**

10           This bill makes an amendment regarding the administration of medication to students.

11 **Highlighted Provisions:**

12           This bill:

- 13           ▶ allows for the administration of an opiate antagonist to a student in accordance with
- 14 the Opiate Overdose Response Act; and
- 15           ▶ makes technical changes.

16 **Money Appropriated in this Bill:**

17           None

18 **Other Special Clauses:**

19           None

20 **Utah Code Sections Affected:**

21 AMENDS:

22           **53A-11-601**, as last amended by Laws of Utah 2008, Chapter 173

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24 *Be it enacted by the Legislature of the state of Utah:*

25           Section 1. Section **53A-11-601** is amended to read:

26           **53A-11-601. Administration of medication to students -- Prerequisites --**

27 **Immunity from liability -- Applicability.**

28           (1) A public or private school that holds any classes in grades kindergarten through 12

29 may provide for the administration of medication to any student during periods when the  
30 student is under the control of the school, subject to the following conditions:

31 (a) the local school board, charter school governing board, or the private equivalent,  
32 after consultation with the Department of Health and school nurses shall adopt policies that  
33 provide for:

- 34 (i) the designation of volunteer employees who may administer medication;
- 35 (ii) proper identification and safekeeping of medication;
- 36 (iii) the training of designated volunteer employees by the school nurse;
- 37 (iv) maintenance of records of administration; and
- 38 (v) notification to the school nurse of medication that will be administered to students;

39 and

40 (b) medication may only be administered to a student if:

41 (i) the student's parent or legal guardian has provided a current written and signed  
42 request that medication be administered during regular school hours to the student; and

43 (ii) the student's licensed health care provider has prescribed the medication and  
44 provides documentation as to the method, amount, and time schedule for administration, and a  
45 statement that administration of medication by school employees during periods when the  
46 student is under the control of the school is medically necessary.

47 (2) Authorization for administration of medication by school personnel may be  
48 withdrawn by the school at any time following actual notice to the student's parent or guardian.

49 (3) School personnel who provide assistance under Subsection (1) in substantial  
50 compliance with the licensed health care provider's written prescription and the employers of  
51 these school personnel are not liable, civilly or criminally, for:

52 (a) any adverse reaction suffered by the student as a result of taking the medication;

53 and

54 (b) discontinuing the administration of the medication under Subsection (2).

55 (4) Subsections (1) through (3) do not apply to:

- 56            (a) the administration of glucagon in accordance with Section [53A-11-603](#);  
57            (b) the administration of a seizure rescue medication in accordance with Section  
58 [53A-11-603.5](#); or  
59            (c) the administration of an opiate antagonist in accordance with Title 26, Chapter 55,  
60 Opiate Overdose Response Act.