

VENTURA COUNTY BOARD OF EDUCATION

ADMINISTRATIVE

REGULATION NO. 5141.21

ADOPTED: 06/02/15

CLASSIFICATION: Students

REVISED: 05/28/19

SUBJECT: Administering Medication and Monitoring Health Conditions

Regular school attendance is critical to student learning. Students who need to take medication prescribed or ordered for them by their authorized health care providers should have an opportunity to participate in the educational program.

DEFINITIONS

Authorized healthcare provider means an individual who is licensed by the State of California to prescribe or order medication, including, but not limited to, a physician or physician assistant. (Education Code 49423; 5 CCR 601)

Other designated school personnel may include any trained individual employed by the county office of education (COE) who has consented or volunteered to administer the medication or otherwise assist the student and who may legally administer the medication to the student or assist the student in the administration of the medication. (5 CCR 601)

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. (5 CCR 601)

Emergency medical assistance for a student suffering an epileptic seizure means the administration of an emergency anti-seizure medication such as diazepam rectal gel and other emergency medications approved by the federal Food and Drug Administration for patients suffering from epileptic seizures.

Epinephrine auto-injector means a disposable delivery device designed for the automatic injection of a premeasured dose of epinephrine into the human body to prevent or treat a life-threatening allergic reaction. (Education Code 49414)

Anaphylaxis means a potentially life-threatening hypersensitivity to a substance, which may result from an insect sting, food allergy, drug reaction, exercise, or other cause. Symptoms may include shortness of breath, wheezing, difficulty breathing, difficulty talking or swallowing, hives, itching, swelling, shock, or asthma. (Education Code 49414)

Opioid antagonist means naloxone hydrochloride or another drug approved by the federal Food and Drug Administration that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the body and that has been approved for the treatment of an opioid overdose. (Education Code 49414.3)

ADMINISTRATION OF MEDICATION

Any medication prescribed by an authorized health care provider, including but not limited to, emergency anti-seizure medication for a student who suffers epileptic seizures, auto-injectable epinephrine, insulin, or glucagon, may be administered by a nurse or other designated county office personnel only when the County Superintendent or designee has received written statements from both the student's parent/guardian and authorized health care provider. (Education Code 49414, 49423; 5 CCR 600)

TRAINING

When medically unlicensed county office personnel are authorized by law to administer any medication to students, such as emergency anti-seizure medication, auto-injectable epinephrine, insulin, or glucagon, the County Superintendent or designee shall ensure that school personnel designated to administer any medication receive appropriate training and, as necessary, retraining from a credentialed school nurse 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 county office personnel shall be supervised by, and provided with immediate communication access to, a school nurse, physician, or other appropriate individual. (Education Code 49414, 49414.5, 49414.7, 49423, 49423.1)

NOTIFICATIONS TO PARENTS/GUARDIANS

At the beginning of each school year, the Superintendent or designee shall notify parents/guardians of the options available to students who need to take prescribed medication during the school day and the rights and responsibilities of parents/guardians regarding those options.

In addition, the Superintendent or designee shall inform the parents/guardians of any student on a continuing medication regimen for a non-episodic condition of the following requirements:

1. 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. (Education Code 49480)

PARENT/GUARDIAN RESPONSIBILITIES

The responsibilities of the parent/guardian of any student who may need medication during the school day shall include, but are not limited to:

1. Provide required parent/guardian and authorized healthcare provider written statements as described in the sections "Parent/Guardian Statement" and "Healthcare Provider Statement" below, at least annually. In addition, the parent/guardian shall provide a new authorized healthcare provider's statement if the medication, dosage, frequency of administration, or reason for administration changes. (Education Code 49414.5, 49414.7, 49423, 49423.1; 5 CCR 600)
2. Inform the school nurse or other designated certificated employee of the medication being taken, the current dosage, and the name of the supervising physician when the student is on a continuing medication regimen for a non-episodic condition. (Education Code 49480)
3. Notify the principal or designee whenever the student has had an emergency anti-seizure medication administered to him/her within four hours before a school day.
4. Provide medications in properly labeled, original containers along with the authorized healthcare provider's instructions. For prescribed or ordered medication, the container also shall bear the name and telephone number of the pharmacy, the student's identification, and the name and phone number of the authorized healthcare provider.

PARENT/GUARDIAN STATEMENT

When COE employees are to administer medication to a student, the parent/guardian's written statement shall:

1. Identify the student;
2. Grant permission for an authorized COE representative to communicate directly with the student's authorized healthcare provider and pharmacist, as may be necessary, regarding the authorized healthcare provider's written statement or any other questions that may arise with regard to the medication;
3. Contain an acknowledgment that the parent/guardian understands that licensed or designated unlicensed trained COE employees, under the supervision of a credentialed school nurse, 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 COE 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 authorized healthcare provider, to ensure that all medication is delivered to the school in a proper container by an individual legally authorized to be in possession of the medication, and to provide all necessary supplies and equipment;

5. Contain an acknowledgment that the parent/guardian understands that he/she may terminate the consent for the administration of the medication or for otherwise assisting the student in the administration of medication at any time.

In addition to the requirements in items #1-5 above, if a parent/guardian has requested that due to medical necessity his/her child be allowed to carry and self-administer prescription medication, the parent/guardian will complete the *Authorization for Any Medication During School Hours* (Self-Funding Authority Form 5010). The authorization shall:

1. Consent to the self-administration;
2. Release the COE and school personnel from civil liability if the student suffers an adverse reaction as a result of self-administering the medication or failing to self-administer the medication. (Education Code 49414.5, 49423, 49423.1)

In addition to the requirements in items #1-5 above, if a parent/guardian wishes to designate an adult or family member who is not an employee of the COE to administer medication to his/her child, the parent/guardian will complete the *Designation for Non-District Personnel to Administer Medication* (Self-Funding Authority Form 5050). The designation shall clearly identify the individual and shall state:

1. Individual's willingness to accept the designation;
2. Individual is permitted to be on the school site;
3. Any limitations on the individual's authority.

HEALTHCARE PROVIDER STATEMENT

When COE employees are to administer medication to a student or when a student is allowed to carry and self-administer prescription diabetes medication, auto-injectable epinephrine, or prescription inhaled asthma medication during school hours, the authorized healthcare provider's written statement (Self-Funding Authority Form 5010) shall include:

1. Clear identification of the student (Education Code 49423, 49423.1; 5 CCR 602);
2. Name and purpose of the medication (Education Code 49423, 49423.1; 5 CCR 602);
3. Name of medication, dosage, method, and time schedules by which the medication is to be taken (Education Code 49414.5, 49423, 49423.1; 5 CCR 602);
4. Confirmation that the student is able to self-administer the medication if a parent/guardian has requested that his/her child be allowed to self-administer medication, (Education Code 49423, 49423.1; 5 CCR 602);

5. Specific symptoms that would necessitate administration of the medication and allowable frequency for administration when medication that is to be administered on an as-needed basis;
6. Possible side effects of the medication;
7. Name, address, telephone number, and signature of the student's authorized healthcare provider.

When authorizing a COE employee to administer emergency anti-seizure medication to a student, the authorized healthcare provider's written statement shall also include the following: (5 CCR 626)

1. Detailed seizure symptoms, including frequency, type, or length of seizures that identify when the administration of the medication becomes necessary;
2. Any potential adverse responses by the student and recommended mitigation actions, including when to call emergency services;
3. Protocol for observing the student after a seizure and a requirement to notify the school nurse and the student's parent/guardian to determine the continued direct observation plan.

COUNTY OFFICE OF EDUCATION RESPONSIBILITIES

The school nurse or other designated school personnel shall:

1. Accept healthcare provider and parent written statements as well as delivery of medications from parents/guardians and count and record them upon receipt;
2. Administer or assist in administering medications in accordance with the authorized healthcare provider's written statement;
3. Train designated school staff to administer;
4. Maintain a confidential record of students needing medication during the school day, including those authorized to self-administer medications, and note on the list the type of medication and the times and dosage to be administered;
5. Maintain a medication administration log which will include:
 - a. The student's name, medication, dose, method of administration, time of administration during the regular school day, and date(s) on which the student is required to take the medication.
 - b. Space for daily recording of the date, time, and amount of medication administered, and the signature of the individual administering the medication;

6. Maintain an individual health record which may include the authorized healthcare provider'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;
7. Ensure that student confidentiality is appropriately maintained;
8. Coordinate the administration of medication during field trips and after-school activities;
9. Report to the parent/guardian, nurse, and the site administrator any refusal by the student to take his/her medication;
10. Keep all student prescribed medication to be administered by the COE in a locked storage;
11. Communicate with the authorized healthcare provider and pharmacist regarding the medication and its effects, as needed;
12. Counsel other designated 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;
13. Ensure that unused, discontinued, or outdated medication is returned to the student's parent/guardian at the end of the school year or, if the medication cannot be returned, dispose of it in accordance with state laws and local ordinances;
14. Provide immediate medical assistance if needed and report to the site administrator, school nurse, and parent/guardian and, if necessary, the student's authorized health care provider any instance when a medication is not administered properly, including administration of the wrong medication or failure to administer the medication in accordance with authorized healthcare provider's written statement.
15. Provide immediate medical assistance in the event of a medical emergency requiring the administration of medication. Call 911, directly observe the student following the administration of medication and contact the school nurse and student's parent/guardian.

ADDITIONAL REQUIREMENTS FOR MANAGEMENT OF ANAPHYLACTIC REACTIONS

In addition to the applicable provisions in the sections above, the County Superintendent or designee shall provide emergency epinephrine auto-injectors to school nurses or trained personnel who have volunteered to assist persons suffering, or reasonably believed to be suffering from, an anaphylactic reaction. (Education Code 49414).

1. A school nurse, or other qualified supervisor of health, shall obtain from an authorizing physician and surgeon a prescription for each school operated by the county office for epinephrine auto-injectors as prescribed by law.

2. A school nurse, or other qualified supervisor of health, shall be responsible for stocking the epinephrine auto-injector(s) and after its use, re-stocking it as soon as reasonably possible, but no later than two weeks after its use. Epinephrine auto-injectors shall also be re-stocked before their expiration date. Prescriptions may be filled by local or mail order pharmacies or by epinephrine auto-injector manufacturers.
3. Records regarding the acquisition and disposition of epinephrine auto-injectors shall be maintained by the County Superintendent or designee for a period of three years from the date the records were created.
4. The Superintendent or designee shall distribute a notice at least once a year requesting volunteers to be trained to administer epinephrine auto-injectors. The notice shall include a description of the training each volunteer will receive. The Superintendent may designate one or more volunteers to receive initial and annual refresher training regarding the storage and use of epinephrine auto-injectors. All volunteers shall receive written materials covering the requisite training components.
5. Epinephrine auto-injectors should be stored in a secure but accessible, well-marked unlocked location at room temperature.
6. A credentialed school nurse or a trained volunteer may administer an epinephrine auto-injector to a person exhibiting potentially life-threatening symptoms of anaphylaxis at school or a school activity. Emergency 911 will be called.
7. The County Superintendent shall ensure that each employee who volunteers will be provided defense and indemnification by the county office for any and all civil liability. This notice of defense and indemnity shall be provided to the volunteer in writing and retained in his/her personnel file.
8. A school operated by the county office may accept gifts, grants, and donations from any source for the support of the school using epinephrine auto-injectors, including the acceptance of epinephrine auto-injectors from a manufacturer or wholesaler.

ADDITIONAL REQUIREMENTS FOR MANAGEMENT OF OPIOID OVERDOSE

In addition to the applicable provisions in the sections above, the County Superintendent or designee may elect to provide emergency naloxone hydrochloride or another opioid antagonist by auto injector or nasal spray to school nurses or trained personnel who have volunteered to assist persons suffering, or reasonably believed to be suffering, from an opioid overdose.

1. The Superintendent or designee shall evaluate the emergency medical response time to schools and determine whether initiating emergency medical services is an acceptable alternative to providing an opioid antagonist and trained personnel to administer the medication. (Education Code 49414.3)

2. When available at a school site, the school nurse shall provide emergency naloxone hydrochloride or another opioid antagonist for emergency medical aid to any person exhibiting, or reasonably believed to be exhibiting, potentially life-threatening symptoms of an opioid overdose at school or a school activity. Other designated personnel who have volunteered and have received training may administer such medication when a school nurse or physician is unavailable, and shall only administer the medication by nasal spray or auto-injector. (Education Code 49414.3)
3. The Superintendent or designee shall distribute a notice at least once a year requesting volunteers to be trained to administer naloxone hydrochloride or another opioid antagonist. The notice shall include a description of the training that each volunteer will receive, and explain the right of the volunteer to rescind his/her offer to volunteer at any time, including after receiving training. The notice shall also include a statement that no benefit will be granted to or withheld from any employee based on his/her offer to volunteer and that there will be no retaliation against any employee for rescinding his/her offer to volunteer. (Education Code 49414.3)
4. The Superintendent or designee may designate one or more volunteer employees to receive initial and annual refresher training. Training will include:
 - a. Techniques for recognizing symptoms of opioid overdose.
 - b. Standards and procedures for use of storage, restocking, and emergency use of naloxone hydrochloride or another opioid antagonist.
 - c. Basic emergency follow-up procedures, including but not limited to, calling emergency 911 and to contact the pupil's parent or guardian.
 - d. Recommendation for instruction and certification in cardiopulmonary resuscitation
 - e. Written training materials, training logs and documentation.
5. The training shall be provided at no cost to the employee, conducted during his/her regular working hours, and be provided by a school nurse or other qualified person designated by an authorizing physician and surgeon. A volunteer will receive written materials provided during the training, which shall be retained at the school for reference. (Education Code 49414.3)
6. A school nurse, or other qualified supervisor of health, shall obtain a prescription for naloxone hydrochloride or another opioid antagonist for each school from an authorized physician and surgeon. Such prescription may be filled by local or mail order pharmacies or manufacturers. (Education Code 49414.3)
7. The school nurse, other qualified supervisor of health, shall be responsible to stocking the naloxone hydrochloride or another opioid antagonist and after its use, restocking it as soon as reasonably possible, but no later than two weeks after it is used. In addition, the medication shall be restocked before its expiration date. (Education Code 49414.3)

8. The Superintendent or designee shall ensure that each employee who volunteers will be provided defense and indemnification by the county office for any and all civil liability. This notice of defense and indemnity shall be provided to the volunteer in writing and retained in his/her personnel file. (Education Code 49414.3)
9. A school operated by the county office may accept gifts, grants, and donations from any source for the support of the school using naloxone hydrochloride or another opioid antagonist, including, but not limited to, the acceptance of naloxone hydrochloride or another opioid antagonist from a manufacturer or wholesaler. (Education Code 49414.3)
10. The Superintendent or designee shall maintain records regarding the acquisition and disposition of naloxone hydrochloride or another opioid antagonist for a period of three years from the date the records were created. (Business and Professions Code 4119.8)