

SB 343

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THE STATE SENATE
Monday, February 24, 2003

Senate Bill No. 343
As Amended

SENATE BILL NO. 343 - By: PRUITT and EASLEY of the Senate and WINCHESTER of the House.

[schools - self-medication of inhaled asthma medication - emergency]

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-116.3 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Notwithstanding the provisions of Section 1-116.2 of Title 70 of the Oklahoma Statutes, the board of education of each school district shall adopt a policy on or before September 1, 2003, that permits the self-administration of inhaled asthma medication by a student for treatment of asthma. The policy shall require:

1. The parent or guardian of the student to authorize in writing the student's self-administration of medication;

2. The parent or guardian of the student to provide to the school a written statement from the physician treating the student that the student has asthma and is capable of, and has been instructed in the proper method of, self-administration of medication;

1 3. The school district to inform the parent or guardian of the
2 student, in writing, that the school district and its employees and
3 agents shall incur no liability as a result of any injury arising
4 from the self-administration of medication by the student; and

5 4. The parent or guardian of the student to sign a statement
6 acknowledging that the school district shall incur no liability as a
7 result of any injury arising from the self-administration of
8 medication by the student.

9 B. As used in this section:

10 1. "Medication" means a metered dose inhaler or a dry powder
11 inhaler to alleviate asthmatic symptoms, prescribed by a physician
12 and having an individual label; and

13 2. "Self-administration" means a student's use of medication
14 pursuant to prescription or written direction from a physician.

15 C. The permission for self-administration of asthma medication
16 is effective for the school year for which it is granted and shall
17 be renewed each subsequent school year upon fulfillment of the
18 requirements of this section.

19 D. A student who is permitted to self-administer asthma
20 medication pursuant to this section shall be permitted to possess
21 and use a prescribed inhaler at all times.

22 SECTION 2. It being immediately necessary for the preservation
23 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.
3 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION, dated 2-10-03 - DO
4 PASS, As Amended and Coauthored.