

1 ENGROSSED SENATE AMENDMENT  
TO

2 ENGROSSED HOUSE  
3 BILL NO. 2700

By: Fourkiller and Nollan of  
the House

4 and

5 Crain of the Senate

6  
7 An Act relating to schools; amending 70 O.S. 2011,  
8 Section 1-116.3, which relates to the self-  
9 administration of inhaled asthma or anaphylaxis  
10 medication; allowing school districts to amend  
11 certain policy; permitting physician to write certain  
prescription; allowing school districts to maintain a  
minimum number of Epinephrine injectors at each  
school; and providing an effective date.

12 AUTHORS: Add the following House Coauthors: Hickman and Inman

13 AMENDMENT NO. 1. Page 1, strike the title to read

14 "[ schools - medication - prescription - Epinephrine  
15 - effective date ]"

16 Passed the Senate the 4th day of April, 2012.

17  
18 \_\_\_\_\_  
Presiding Officer of the Senate

19 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
20 2012.

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22 \_\_\_\_\_  
23 Presiding Officer of the House  
24 of Representatives

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12 prescription; allowing school districts to maintain a  
13 minimum number of Epinephrine injectors at each  
14 school; and providing an effective date.

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

16 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1-116.3, is  
17 amended to read as follows:

18 Section 1-116.3 A. Notwithstanding the provisions of Section  
19 1-116.2 of this title, the board of education of each school  
20 district shall adopt a policy on or before September 1, 2008, that  
21 permits the self-administration of inhaled asthma medication by a  
22 student for treatment of asthma and the self-administration of  
23 anaphylaxis medication by a student for treatment of anaphylaxis.

The policy shall require:

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

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

6           3. The parent or guardian of the student to provide to the  
7 school an emergency supply of the student's medication to be  
8 administered pursuant to the provisions of Section 1-116.2 of this  
9 title;

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

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

18          B. The school board of each school district shall amend the  
19 policy identified in subsection A of this section. The amended  
20 policy shall allow:

21           1. The school district to inform the parent or guardian of each  
22 student, in writing, that a school nurse or trained school employee  
23 may administer, without a health care provider order, an Epinephrine  
24 injector to a student whom the school nurse or trained school

1 employee in good faith professionally believes is having an  
2 anaphylaxis reaction, regardless of whether the medication was  
3 authorized; and

4 2. The school district and its employees and agents to incur no  
5 liability as a result of any injury arising pursuant to paragraph 1  
6 of this subsection.

7 C. A licensed physician may write a prescription for  
8 Epinephrine injectors to be maintained at each school site.

9 D. The school district may maintain at each school a minimum of  
10 two Epinephrine injectors in a secure location.

11 ~~B.~~ E. As used in this section:

12 1. "Medication" means a metered dose inhaler or a dry powder  
13 inhaler to alleviate asthmatic symptoms, prescribed by a physician  
14 and having an individual label, or an anaphylaxis medication used to  
15 treat anaphylaxis, including but not limited to Epinephrine  
16 injectors, prescribed by a physician and having an individual label;  
17 and

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

20 ~~C.~~ F. The permission for self-administration of asthma or  
21 anaphylaxis medication is effective for the school year for which it  
22 is granted and shall be renewed each subsequent school year upon  
23 fulfillment of the requirements of this section.

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