

1 ENGROSSED SENATE
2 BILL NO. 950

By: Stanislawski and Yen of the
Senate
and
Rogers of the House

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6 An Act relating to schools; amending 70 O.S. 2011,
7 Section 1-116.2, which relates to administration of
8 medicine to students; allowing certain school
9 employees to assist in applying certain sunscreen;
10 requiring public schools to permit a student to apply
11 sunscreen without certain authorization; providing a
12 definition; requiring a school to keep certain
13 authorization on file; providing an effective date;
14 and declaring an emergency.

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

16 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1-116.2, is
17 amended to read as follows:

18 Section 1-116.2. A. A school nurse, or in the absence of such
19 nurse, an administrator or designated school employees, pursuant to
20 the written authorization of the parent or guardian of the student,
21 may ~~administer~~:

22 1. A Administer a nonprescription medicine; and

23 2. Assist a student in applying sunscreen, a compound topically
24 applied to prevent a sunburn; and

25 ~~2.—A~~ 3. Administer a filled prescription medicine as that term
is defined by Section 353.1 of Title 59 of the Oklahoma Statutes

1 pursuant to the directions for the administration of the medicine
2 listed on the label or as otherwise authorized by a licensed
3 physician.

4 B. In addition to the persons authorized to administer
5 nonprescription medicine and filled prescription medicine pursuant
6 to the provisions of subsection A of this section, a nurse employed
7 by a county health department and subject to an agreement made
8 between the county health department and the school district for
9 medical services, may administer nonprescription medicine and filled
10 prescription medicine pursuant to the provisions of this section.

11 C. Each school in which any medicine is administered pursuant
12 to the provisions of subsection A of this section shall keep a
13 record of the name of the student to whom the medicine was
14 administered, the date the medicine was administered, the name of
15 the person who administered the medicine, and the type or name of
16 the medicine which was administered.

17 D. Medicine to be administered by the county or school nurse,
18 administrator or the designated persons and which is stored at the
19 school shall be properly stored and not readily accessible to
20 persons other than the persons who will administer the medication.

21 E. 1. A public school shall permit a student to possess and
22 self-apply sunscreen that is regulated by the Food and Drug
23 Administration without the written authorization of a parent, legal
24 guardian or physician.

1 2. As used in this subsection, "sunscreen" means a compound
2 topically applied to prevent sunburn.

3 F. The school shall keep on file the written authorization of
4 the parent or guardian of the student to administer medicine to the
5 student or to apply sunscreen on the student.

6 ~~F.~~ G. A school nurse, county nurse, administrator~~7~~ or the
7 designated school employees shall not be liable to the student or a
8 parent or guardian of the student for civil damages for any personal
9 injuries to the student which result from acts or omissions of the
10 school or county nurse, administrator~~7~~ or designated school
11 employees in administering any medicine pursuant to the provisions
12 of this section. This immunity shall not apply to acts or omissions
13 constituting gross, willful~~7~~ or wanton negligence.

14 SECTION 2. This act shall become effective July 1, 2018.

15 SECTION 3. It being immediately necessary for the preservation
16 of the public peace, health or safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval.

1 Passed the Senate the 7th day of March, 2018.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2018.

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9 Presiding Officer of the House
10 of Representatives