

An Act

ENROLLED SENATE
BILL NO. 950

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

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

SUBJECT: Sunscreen in schools

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

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

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

1. ~~A~~ Administer a nonprescription medicine; and
2. Assist a student in applying sunscreen, a compound topically applied to prevent a sunburn; and

~~2.—A~~ 3. Administer a filled prescription medicine as that term is defined by Section 353.1 of Title 59 of the Oklahoma Statutes pursuant to the directions for the administration of the medicine listed on the label or as otherwise authorized by a licensed physician.

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

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

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

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

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

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

~~F.~~ G. A school nurse, county nurse, administrator, or the designated school employees shall not be liable to the student or a parent or guardian of the student for civil damages for any personal injuries to the student which result from acts or omissions of the

school or county nurse, administrator~~7~~ or designated school employees in administering any medicine pursuant to the provisions of this section. This immunity shall not apply to acts or omissions constituting gross, willful~~7~~ or wanton negligence.

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

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

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

Presiding Officer of the Senate

Passed the House of Representatives the 26th day of April, 2018.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____