

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

☐ FLOOR AMENDMENT

No. _____

☐ COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 950, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Stanislawski

Stanislawski-EB-FS-Req#3414
2/27/2018 1:38 PM

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

FLOOR SUBSTITUTE
FOR

SENATE BILL NO. 950

By: Stanislawski

FLOOR SUBSTITUTE

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

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 nonprescription medicine; and
2. 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.

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

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

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

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

22 2. As used in this subsection, "sunscreen" means a compound
23 topically applied to prevent sunburn.
24

1 F. The school shall keep on file the written authorization of
2 the parent or guardian of the student to administer medicine to the
3 student.

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

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

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

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18 56-2-3414 EB 2/27/2018 1:38:48 PM
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