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**AS AMENDED**

By: Stanislawski

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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. If a student is unable to self-apply sunscreen, a school  
23 nurse, an administrator or designated school employees may apply the  
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1 sunscreen on the student if the parent or legal guardian of the  
2 student provides written authorization.

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

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

8 ~~F.~~ G. 1. A school nurse, county nurse, administrator~~7~~ or the  
9 designated school employees shall not be liable to the student or a  
10 parent or guardian of the student for civil damages for any personal  
11 injuries to the student which result from acts or omissions of the  
12 school or county nurse, administrator~~7~~ or designated school  
13 employees in administering any medicine pursuant to the provisions  
14 of this section. This immunity shall not apply to acts or omissions  
15 constituting gross, willful~~7~~ or wanton negligence.

16 2. A school nurse, an administrator or designated school  
17 employees who apply sunscreen on a student as provided for in  
18 subsection E of this section shall not be liable to the student or a  
19 parent or legal guardian of the student:

20 a. **for** any adverse reaction suffered by the student as a  
21 result of having sunscreen applied, or

22 b. **as a result of their exercising reasonable care in**  
23 **applying or** discontinuing the application of the  
24 sunscreen at any time.

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

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

6 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION  
7 February 12, 2018 - DO PASS AS AMENDED  
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