

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 SENATE BILL 1106

By: Yen

6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2011,
8 Section 1-116.2, which relates to administration of
9 medicine to students; requiring school districts to
10 permit a student to possess and self-administer
11 sunscreen with certain authorization; directing
12 school districts to keep certain authorization on
13 file; providing an effective date; and declaring an
14 emergency.

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

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

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

20 1. A nonprescription medicine; and

21 2. A filled prescription medicine as that term is defined by
22 Section 353.1 of Title 59 of the Oklahoma Statutes pursuant to the
23 directions for the administration of the medicine listed on the
24 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 this section shall keep a record of the name of
10 the student to whom the medicine was administered, the date the
11 medicine was administered, the name of the person who administered
12 the medicine, and the type or name of the medicine which was
13 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. A public school district shall permit a student to possess
19 and self-administer sunscreen with the written authorization of a
20 parent or guardian.

21 F. The school shall keep on file the written authorization of
22 the parent or guardian of the student to administer medicine to the
23 student and the authorization of the parent or guardian of the
24 student to possess and self-administer sunscreen.

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

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

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

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