

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1887

By: Murdock

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 2021, Section 1-116.3, as amended by Section 2, Chapter 184, O.S.L. 2025 (70 O.S. Supp. 2025, Section 1-116.3), which relates to school medication policies; updating statutory language; updating statutory reference; modifying frequency of certain required training; amending 70 O.S. 2021, Section 24-155, which relates to concussion management guidelines; updating statutory references; updating statutory language; modifying frequency of required training; 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. 2021, Section 1-116.3, as amended by Section 2, Chapter 184, O.S.L. 2025 (70 O.S. Supp. 2025, Section 1-116.3), is amended to read as follows:

Section 1-116.3. A. Notwithstanding the provisions of Section 1-116.2 of this title, the board of education of each school district shall adopt a policy on or before September 1, 2008, that permits the self-administration of inhaled asthma medication by a student for treatment of asthma, the self-administration of anaphylaxis medication by a student for treatment of anaphylaxis,

1 and the self-administration of replacement pancreatic enzymes by a
2 student for treatment of cystic fibrosis. The policy shall require:

3 1. The parent or guardian of the student to authorize in
4 writing the student's self-administration of medication;

5 2. The parent or guardian of the student to provide to the
6 school a written statement from the physician treating the student
7 that the student has asthma, anaphylaxis, or cystic fibrosis and is
8 capable of, and has been instructed in the proper method of, self-
9 administration of medication;

10 3. The parent or guardian of the student to provide to the
11 school an emergency supply of the student's medication to be
12 administered pursuant to the provisions of Section 1-116.2 of this
13 title;

14 4. The school district to inform the parent or guardian of the
15 student, in writing, that the school district and its employees and
16 agents shall incur no liability as a result of any injury arising
17 from the self-administration of medication by the student; and

18 5. The parent or guardian of the student to sign a statement
19 acknowledging that the school district shall incur no liability as a
20 result of any injury arising from the self-administration of
21 medication by the student.

22 B. The ~~school~~ board of education of each school district that
23 elects to stock ~~Epinephrine~~ epinephrine or inhalers shall amend the
24 policy identified in subsection A of this section.

1 1. The amended policy for ~~Epinephrine~~ epinephrine shall

2 require:

3 a. the school district to inform the parent or guardian
4 of each student, in writing, that a school nurse or
5 school employee trained by a health care professional
6 or trained pursuant to subsection G of this section
7 may administer ~~Epinephrine~~ epinephrine to a student
8 whom the school nurse or trained school employee in
9 good faith believes is having an anaphylactic
10 reaction,

11 b. a waiver of liability executed by a parent or guardian
12 be on file with the school district prior to the
13 administration of ~~Epinephrine~~ epinephrine pursuant to
14 subparagraph a of this paragraph ~~1 of this subsection,~~
15 and

16 c. the school district to designate the employee
17 responsible for obtaining the ~~Epinephrine~~ epinephrine
18 at each school site.

19 2. The amended policy for inhalers shall require:

20 a. the school district to inform the parent or guardian
21 of each student, in writing, that a school nurse or
22 school employee trained by a health care professional
23 may administer an inhaler to a student whom the school
24

- 1 nurse or trained school employee in good faith
2 believes is having respiratory distress,
- 3 b. the school district to designate the employee
4 responsible for obtaining the inhalers and spacers or
5 holding chambers at each school site, and
- 6 c. the school district to notify the parent or guardian
7 of a student after administration of an inhaler.

8 C. The school district and its employees and agents shall incur
9 no liability as a result of any injury arising pursuant to the
10 discharge or nondischarge of the powers provided for pursuant to
11 subparagraph a of paragraphs 1 and 2 of subsection B of this
12 section.

13 D. A licensed physician who has prescriptive authority may
14 write a prescription for ~~Epinephrine~~ epinephrine and inhalers and
15 spacers or holding chambers to the school district in the name of
16 the district as a body corporate as specified in Section 5-105 of
17 this title which shall be maintained at each school site. Such
18 physician shall incur no liability as a result of any injury arising
19 from the use of ~~Epinephrine~~ epinephrine or the inhalers and spacers
20 or holding chambers.

21 E. The school district may maintain at each school a minimum of
22 two ~~Epinephrine~~ epinephrine devices and two inhalers with spacers or
23 holding chambers in a secure location. Provided, however, that
24 nothing in this section shall be construed as creating or imposing a

1 duty on a school district to maintain ~~Epinephrine~~ epinephrine
2 injectors or inhalers with spacers or holding chambers at a school
3 site or sites.

4 F. In the event a student is believed to be having an
5 anaphylactic reaction or respiratory distress, a school employee
6 shall contact 911 as soon as possible. If ~~Epinephrine~~ epinephrine
7 is administered to a student, a school employee shall contact 911 as
8 soon as possible. The school district shall notify the parent or
9 guardian of any student who experiences a possible allergic reaction
10 as soon as possible.

11 G. The State Board of Education, in consultation with the State
12 Board of Health, shall develop model policies which school districts
13 shall use in compliance with this section. The model policies shall
14 include, at a minimum, required ~~annual~~ training for teachers and
15 school employees who are directly responsible for students on the
16 topics of food allergies, recognizing anaphylaxis, and instruction
17 on how to administer ~~Epinephrine~~ epinephrine. The training shall be
18 completed ~~before the school year begins or upon hiring the first~~
19 year a teacher or school employee is employed by the school district
20 and then once every other academic year thereafter. Documentation
21 certifying completion of the required training shall be retained in
22 the personnel file of the teacher or school employee. The training
23 may be provided online or in person by the school nurse or a
24 recognized food allergy and anaphylaxis training program.

1 H. The State Board of Education, in consultation with the State
2 Board of Health, shall promulgate rules to implement this section.

3 I. As used in this section:

4 1. "Medication" means a ~~metered-dose~~ metered-dose inhaler or a
5 dry powder inhaler to alleviate asthmatic symptoms, prescribed by a
6 physician and having an individual label, an anaphylaxis medication
7 used to treat anaphylaxis including, but not limited to, ~~Epinephrine~~
8 epinephrine prescribed by a physician and having an individual
9 label, or replacement pancreatic enzymes prescribed by a physician
10 and having an individual label;

11 2. "Self-administration" means a student's use of medication
12 pursuant to prescription or written direction from a physician;

13 3. "Respiratory distress" means the perceived or actual
14 presence of coughing, wheezing, or shortness of breath; and

15 4. "Inhaler" means a device that delivers a bronchodilator to
16 alleviate symptoms of respiratory distress that is manufactured in
17 the form of a metered-dose inhaler or ~~dry-powder~~ dry powder inhaler
18 and that may include a spacer or holding chamber that attaches to
19 the inhaler to improve the delivery of the bronchodilator.

20 J. The permission for self-administration of asthma,
21 anaphylaxis, or replacement pancreatic enzyme medication is
22 effective for the school year for which it is granted and shall be
23 renewed each subsequent school year upon fulfillment of the
24 requirements of this section.

1 K. A student who is permitted to self-administer asthma,
2 anaphylaxis, or replacement pancreatic enzyme medication pursuant to
3 this section shall be permitted to possess and use a prescribed
4 inhaler, anaphylaxis medication including, but not limited to,
5 ~~Epinephrine~~ epinephrine, or replacement pancreatic enzyme medication
6 at all times.

7 SECTION 2. AMENDATORY 70 O.S. 2021, Section 24-155, is
8 amended to read as follows:

9 Section 24-155. A. As defined in this ~~act~~ section:

10 1. "Athlete" means a secondary-school-age individual who is
11 participating in a sport which is individual- and/or team-based,
12 outside of school or within school and either competitive or in an
13 organized practice; and

14 2. "Health care provider" means an individual who is
15 registered, certified, licensed, or otherwise recognized by the
16 state to provide medical or psychological treatment and who is
17 trained and experienced in the evaluation, management, and care of
18 concussions.

19 B. The State Department of Health shall create a concussion
20 management section on its website to provide the guidelines
21 necessary for each school district board of education and youth
22 sports organization to develop ~~their~~ its own policies and procedures
23 pertaining to, but not limited to:

1 1. A concussion and head injury information sheet for game
2 officials, team officials, athletes, parents or guardians, and other
3 persons having care or charge of athletes of the signs and symptoms
4 of concussion or head injury and the risk of continuing to practice
5 or compete in an athletic event or activity after sustaining a
6 concussion or head injury;

7 2. "Return to Learn" guidelines for teachers and relevant
8 school personnel pertaining to athletes who are returning to the
9 classroom after sustaining a concussion or head injury;

10 3. "Graduated Stepwise Return to Athletic Participation"
11 guidelines for team officials pertaining to athletes returning to
12 practice or competition after a concussion or head injury; and

13 4. Links to one or more free online concussion training
14 programs as provided by the Centers for Disease Control and
15 Prevention (CDC), the National Federation of State High School
16 Associations (NFHS), or a comparable program or resource.

17 The Department shall periodically review the guidelines and
18 update ~~it~~ them accordingly.

19 C. Each school district board of education and youth sports
20 organization or association shall develop policies and procedures
21 pursuant to subsection B of this section to inform and educate ~~their~~
22 its respective coaches, game officials, team officials, athletes,
23 and their parents or guardians of the nature and risk of concussion
24 and head injury, including continuing to play after concussion or

1 head injury. On an annual basis, information regarding concussion
2 and head injuries shall be disseminated to the athlete and his or
3 her parent or guardian. Acknowledgment and understanding of the
4 information shall be completed by the athlete and the athlete's
5 parent or guardian and maintained by the school or the youth sports
6 organization or association prior to the athlete's participation in
7 practice or competition.

8 1. ~~On an annual basis, game~~ Game officials and team officials
9 shall undergo concussion training provided by the CDC, the NFHS, or
10 a comparable program or resource. The training shall be completed
11 the first year a game official or team official is employed by or
12 volunteers for the school district or youth sports organization or
13 association and then once every other academic year thereafter. A
14 record of completion of the training course shall be readily
15 available upon request.

16 2. If any game official or team official responsible for the
17 care and safety of an athlete in an athletic event becomes aware or
18 suspects an athlete is exhibiting signs, symptoms, or behaviors
19 consistent with having sustained a concussion or head injury, he or
20 she shall remove the athlete from the practice or competition.

21 3. If an athlete is removed from practice or competition as
22 provided in paragraph 2 of this subsection, the athlete shall not,
23 on the same day the athlete is removed, be permitted to return to
24 that practice or competition or to participate in any other practice

1 or competition, unless deemed eligible pursuant to the provisions of
2 paragraph 4 of this subsection.

3 4. An athlete who has been removed from participation as
4 provided in paragraph 2 of this subsection may not participate until
5 the athlete is evaluated by a health care provider and receives
6 written clearance to return to participation from that health care
7 provider. The health care provider may be a volunteer. A health
8 care provider, game official, or team official, whether volunteer or
9 employee, shall not be liable for civil damages for injury, death,
10 or loss to person or property allegedly arising from any act or
11 omission in providing services or performing duties unless the acts
12 or omissions constituting gross negligence or willful or wanton
13 misconduct.

14 D. Respective governing boards shall establish the following
15 minimum penalties for a violation of paragraph 2 of subsection C of
16 this section for those individuals set forth in paragraph 1 of
17 subsection C of this section:

18 1. First violation shall be additional concussion recognition
19 and management education as predetermined by the governing board;

20 2. Second violation shall be suspension from the sport until
21 appearance before the governing board; and

22 3. Monetary fines shall not be considered as a penalty.

23 E. The ~~Department~~ State Board of Education shall promulgate
24 rules necessary to implement the provisions of this ~~act~~ section.

1 SECTION 3. This act shall become effective July 1, 2026.

2 SECTION 4. 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.
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