

RULE

The Administration of Medication in Louisiana Public Schools

Developed in 1994 by

The Louisiana State Board of Elementary
and Secondary Education

and

The Louisiana State Board of Nursing

Amendments Effective April 20, 1996
and Act 636 of 2001



POLICY 1996

RULE

Board of Elementary and Secondary Education
Administration of Medication in Public Schools

In accordance with the Louisiana Revised Statutes 49:950 et. seq., the Administrative Procedures Act, notice is hereby given that the State Board of Elementary and Secondary Education adopted the Administration of Medication Policy developed by the State Board of Elementary and Secondary Education and the Louisiana State Board of Nursing and printed below:

Title 28
EDUCATION

Part I. Board of Elementary and Secondary Education
Chapter 9. Bulletins, Regulations and State Plans
Section 929. Administration of Medication Policy

A. Administration of Medication

R.S. 187:436.1, Act 87 of 1993, requires that the State Board of Elementary and Secondary Education and the Louisiana State Board of Nursing formulate and adopt a joint policy on the administration of medications for local school systems that require unlicensed personnel to perform those functions.

Each city and parish school board shall establish guidelines based upon the joint policy which shall include but not be limited to the following provisions.

Any waiver, deletions, additions, amendments, or alterations to the joint policy shall be approved by both Boards.

I. WRITTEN ORDERS, APPROPRIATE CONTAINERS, LABELS, AND INFORMATION

A. Medication shall not be administered to any student without an order from a Louisiana, or adjacent state, licensed physician or dentist and it shall include the following information:

1. the student's name
2. the name and signature of the physician/dentist
3. physician/dentist's business address, office phone number, and emergency phone numbers
4. the frequency and time of the medication
5. the route and dosage of medication
6. a written statement of the desired effects and the child specific potential adverse effects.

Medication shall be provided to the school by the parent or guardian in the container that meets acceptable pharmaceutical standards and shall include the following information:

1. name of pharmacy
2. address and telephone number of pharmacy
3. prescription number
4. date dispensed
5. name of student
6. clear directions for use, including the route, frequency, and other as indicated
7. drug name and strength
8. last name and initial of pharmacist
9. cautionary auxiliary labels, if applicable
10. physician or dentist's name

Labels of prepackaged medications, when dispensed, shall contain the following information in addition to the regular pharmacy label:

1. drug name
2. dosage form
3. strength
4. quantity
5. name of manufacturer and/or distributor
6. manufacturer's lot or batch number

II. ADMINISTRATION OF MEDICATION: GENERAL PROVISIONS

- A. During the period when the medication is administered the person administering medication shall be relieved of all other duties. This requirement does not include the observation period required in II.E. The local school systems shall determine how to implement this requirement.
- B. Except in life threatening situations, trained unlicensed school employees may not administer injectable medications.
- C. All medications shall be stored in a secured locked area or locked drawer with limited access except by authorized personnel.

- D. Only oral, inhalant, topical ointment for diaper rash, and emergency medications shall be administered at school by unlicensed personnel.
- E. Each student shall be observed by a school employee for a period of 45 minutes following the administration of medication. This observation may occur during instruction time.
- F. School medication orders shall be limited to medications which cannot be administered before or after school hours.

III. PRINCIPAL

The principal shall designate at least two employees to receive training and administer medications in each school.

IV. TEACHER

The classroom teacher who is not otherwise previously contractually required shall not be assigned to administer medications to students. A teacher may request in writing to volunteer to administer medications to his/her own students. The administration of medications shall not be a condition of employment of teachers employed subsequent to July 1, 1994.

V. SCHOOL NURSE

- A. The school nurse, in collaboration with the principal, shall supervise the implementation of the school policies for the administration of medications in schools to insure the safety, health and welfare of the students.
- B. The school nurse shall be responsible for the training of non-medical personnel who have been designated by each principal to administer medications in each school. The training shall be at least six hours and include but not be limited to the following provisions:
 - a. Proper procedures for administration of medications including controlled substances.
 - b. Storage and disposal of medications.
 - c. Appropriate and correct record keeping.
 - d. Appropriate actions when unusual circumstances or medication reactions occur.
 - e. Appropriate use of resources.

VI. PARENT/GUARDIAN

- A. The parent/guardian who wishes medication administered to his/her student shall provide the following:
 - 1. A letter of request and authorization that contains the following information.

- a. name of student.
 - b. clear instructions.
 - c. RX number, if any.
 - d. current date.
 - e. name, degree, frequency, and route of medication.
 - f. name of physician or dentist.
 - g. printed name and signature of parent or guardian.
 - h. emergency phone number of parent or guardian.
 - i. statement granting or withholding release of medical information.
2. Written orders for all medications to be given at school, including annual renewals at the beginning of the school year.
 3. A prescription for all medications to be administered at school, including medications that might ordinarily be available over the counter.
 4. A list of all medications that the student is currently receiving at home and school, if that listing is not a violation of confidentiality or contrary to the request of the parent/guardian or student.
 5. A list of names and telephone numbers of persons to be notified in case of medication emergency in addition to the parent or guardian and licensed prescriber.
 6. Arrangements for the safe delivery of the medication to and from school in the original labeled container as dispensed by the pharmacist; the medication shall be delivered by a responsible adult.
 7. Unit dose packaging shall be used whenever possible.
- B. All aerosol medications shall be delivered to the school in pre-measured dosage.
 - C. No more than a 35 school day supply of medication shall be kept at school.
 - D. The initial dose of a medication shall be administered by the student's parent/guardian outside the school jurisdiction with sufficient time for observation for adverse reaction.
 - E. The parent/guardian shall also work with those personnel designated to administer medication as follows:

- a. Cooperate in counting the medication with the designated school personnel who receive it and sign a drug receipt form.
- b. Cooperate with school staff to provide for safe, appropriate administration of medications to students, such as positioning, and suggestions for liquids or foods to be given with the medication.
- c. Assist in the development of the emergency plan for each student.
- d. Comply with written and verbal communication regarding school policies.
- e. Grant permission for school nurse/physician consultation.
- f. Remove or give permission to destroy unused, contaminated, discontinued, or out-of-date medications according to the school guidelines.

VII. STUDENT CONFIDENTIALITY

All student information shall be kept confidential.

*NOTE OF INFORMATION: This is not part of the joint policy:

“THERE IS A SET OF GUIDELINES WHICH HAVE BEEN DEVELOPED BY AN ADMINISTRATION OF MEDICATION TASK FORCE AND APPROVED BY THE STATE BOARD OF NURSING, WHICH MAY BE USED BY LOCAL SCHOOL SYSTEMS IN DEVELOPING THEIR LOCAL ADMINISTRATION OF MEDICATION GUIDELINES. THESE GUIDELINES ARE AVAILABLE UPON REQUEST IN THE STATE BOARD OF ELEMENTARY AND SECONDARY EDUCATION’S OFFICE.”

Authority Note: ACT 87 of R.S. 1993 (R.S. 17:436.1)

(15:17/28/94, Louisiana Register, Notice of Intent, 12/94 Rule, 3/94, Vol. 221, Page 260)

Amendments of 1995 are underlined and effective April 30, 1996.

Authority Note: Act 87 of R.S. 1993 (R.S. 12:436.1)

Historical Note: L.R. 22

Note: Act 636 of 2001 amendment provides for an order from “any other authorized prescriber authorized in the state of Louisiana to prescribe medications or devices and . . .”

Effective April 1996

Regular Session, 1993
HOUSE BILL No. 387
BY REPRESENTATIVE LONG

ENROLLED
Act No. 87

AN ACT

To enact R.S. 17:436.1, relative to the administration of medication, to provide relative to the administration of medication by school employees; to provide for a definition, conditions, and restrictions relative to such administration; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:436.1 is hereby enacted to read as follows:

§436.1 Administration of medication; definition; conditions; restrictions

- A. As used in this Section, the term “medication” shall include all prescription and nonprescription drugs.
- B. No city or parish school board shall require any employee other than a registered nurse or licensed medical physician to administer medication until all the following conditions have been met:
 - (1) The city or parish school board has promulgated guidelines based upon a policy set by the State Board of Elementary and Secondary Education and the Louisiana State Board of Nursing which specifically establishes the procedure to be followed for the administration of medication at each school and which at a minimum provides that:
 - (a) No medication shall be administered to any student without an order from a Louisiana licensed physician or dentist and a letter of request and authorization from the student’s parent or guardian.
 - (b) No medication shall be administered to any student unless it is provided to the school in a container that meets acceptable pharmacy standards.
 - (c) Both the letter from the parent or guardian and the medication itself shall contain clear instructions identifying the student’s name, RX number if any, date, frequency, name of medication, dosage, route, and physician’s or dentist’s name.

Dev. 1993
Effective 1993

Act 87. Page 1

- (2) At least two employees at each school have received not less than six hours of training in the administration of medication, including general and child specific training, from a registered nurse, a licensed medical physician, or both.
 - (3) A registered nurse and/or licensed medical physician employed by a city or parish school board has assessed the health status of the specific child in his specific educational setting and has determined that, according to the legal standards of the respective licensed health professional when performing such procedure, the administration of medication can be safely performed by and delegated to someone who has received documented training with documented competence other than a licensed health professional.
 - (4) A registered nurse and/or a licensed medical physician employed by a city or parish school board has reviewed the physician's or dentist's order and the parent or guardian's request that the medication be administered and has determined that the administration of medication can be safely performed by and delegated to someone who has received documented training with documented competence other than a licensed health professional.
- C. Individuals who are required to administer medication and have been trained according to the provisions of this Section may not decline to perform such service at the time indicated except as exempted for reasons as noted in writing by the licensed medical physician or the registered nurse. The reasons for such exemptions shall be documented and certified by the licensed medical physician or the registered nurse within seventy-two hours of the request for the exemption.
- D. Any employee shall have the right to request that another school board employee be present while he is administering the medication to a student to serve as a witness. After making such a request the employee shall not be required to administer the medicine without such a witness.
- E. In the absence of the training program as provided in this Section, no city or parish school board shall require any employee other than a registered nurse and/or licensed medical physician to administer medication.
- F. Nothing contained in this Section shall be interpreted in such a manner as to relieve a city or parish school board of its duty and obligation to staff all schools with certified nurses.

- G. For the purpose of this Section, the terms city or parish school board shall include all governing authorities of public elementary and secondary schools.
- H. Notwithstanding any other provisions of this Section, in school systems which are unable after a diligent attempt to employ a full-time registered nurse, a registered nurse shall be employed part-time as necessary to provide the services required by this Section. In such a case, the nurse shall be compensated on an hourly basis in an amount which is equal to the average amount paid hourly for a nurse with similar experience in hospitals located within the region of the school district.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED

Dev. 1993

RULE

EFFECTIVE APRIL 20, 1996

Board of Elementary and Secondary Education
Amendment to the Administration of Medication Policy

In accordance with the R.S. 49:950 et. seq. the Administrative Procedures Act, notice is hereby given that the State Board of Elementary and Secondary Education approved for advertisement, an amendment to the Administration of Medication Policy developed by the State Board of Elementary and Secondary Education and the State Board of Nursing. This amendment to the Administrative Code is printed below:

Title 28
EDUCATION

Part I. Board of Elementary and Secondary Education
Chapter 9. Bulletins, Regulations and State Plans
Section 929. Administration of Medication Policy

B. Written Orders, Appropriate Containers, Labels, and Information

1. Medication shall not be administered to any student without an order from a Louisiana, or adjacent state, licensed physician or dentist and it shall include the following information.

* * *

E. Teacher

The classroom teacher who is not otherwise previously contractually required shall not be assigned to administer medications to students. A teacher may request in writing to volunteer to administer medications to his/her own students. The administration of medications shall not be a condition of employment of teachers employed subsequent to July 1, 1994. A regular education teacher who is assigned an exceptional child shall not be required to administer medication.

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AUTHORITY NOTE: Act 87 of R.S. 993 (R.S. 17:436.1)

HISTORICAL NOTE: LR22

Effective April 26, 1996

Carole Wallin

Executive Director

Staff Note: Amendments of
Acts 752 and 1181 of 1995

Policy. Amended 1995

AN ACT

To amend and reenact R.S. 17:436.1(B)(1)(a) and (c) and (4) and (H) and to enact R.S. 17:436.1(I), relative to advanced practice registered nurses; to provide for authorization to order school nurses to administer medication to students; to include advanced practice registered nurses in the definition of authorized prescriber; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:436.1(B)(1)(a) and (c) and (4) and (H) are hereby amended and reenacted and R.S. 17:436.1(I) is hereby enacted to read as follows:

§436.1. Administration of medication; definition; conditions; restrictions

* * *

B. No city or parish school board shall require any employee other than a registered nurse or licensed medical physician to administer medication until all the following conditions have been met:

(1) The city or parish school board has promulgated guidelines based upon a policy set by the State Board of Elementary and Secondary Education and the Louisiana State Board of Nursing which specifically establishes the procedure to be followed for the administration of medication at each school and which at a minimum provides that:

(a) No medication shall be administered to any student without an order from a licensed physician or dentist who is licensed to practice medicine or dentistry in the state of Louisiana or an adjacent state or any other authorized prescriber authorized in the state of Louisiana to prescribe medications or devices and a letter of request and authorization from the student's parent or guardian.

* * *

(c) Both the letter from the parent or guardian and the medication container shall contain clear instructions identifying the student's name, RX number if any, date, frequency, name of the medication, dosage, route, and physician's, dentist's, or other authorized prescriber's name.

* * *

(4) A registered nurse and/or a licensed medical physician employed by a city or parish school board has reviewed the physician's, dentist's, or other authorized prescriber's order and the parent or guardian's request that the medication be administered and has determined that the administration of medication can be safely performed by and delegated to someone who has

received documented training with documented competence other than a licensed health professional.

* * *

- H. For the purposes of this Section, the term "authorized prescriber" means a person licensed, registered, or otherwise authorized by the appropriate licensing board to prescribe drugs in the course of professional practice.
- I. Notwithstanding any other provisions of this Section, in a school system which is unable after a diligent attempt to employ a fulltime registered nurse, a registered nurse shall be employed part time as necessary to provide the services required by this Section. In such a case, the nurse shall be compensated on an hourly basis in an amount which is equal to the average amount paid hourly for a nurse with similar experience in hospitals located within the region of the school district.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____