

Use of Epi-Pen in School

The rules regarding the administration of medication at school can be found in the online **FCWCS Family Handbook** (fcwcs.org).

The Louisiana State Legislature has added a law pertaining specifically to the use of epinephrine (ep-pen). The provisions state:

- (1) The Board of Directors shall permit the self-administration of medications by a student with asthma or the use of auto-injectable epinephrine (epi-pen) by a student at risk of anaphylaxis, provided that the student's parent or other legal guardian provides the school in which the student is enrolled with the following documentation:
 - (a) Written authorization for the student to carry and self-administer such prescribed medications.
 - (b) Written certification from a licensed medical physician or other authorized prescriber that the student:
 - (i) Has asthma or is at risk of having anaphylaxis.
 - (ii) Has received instruction in the proper method of self-administration of the student's prescribed medication to treat asthma or anaphylaxis.
 - (c) A written treatment plan from the student's licensed medical physician or other authorized prescriber for managing asthma or anaphylactic episodes. The treatment plan must be signed by the student, the student's parent or other legal guardian, and the student's licensed medical physician or other authorized prescriber and shall also contain the following information:
 - (i) The name, purpose, and prescribed dosage of the medications to be self-administered.
 - (ii) The time or times the medications are to be regularly administered and under what additional special circumstances the medications are to be administered.
 - (iii) The length of time for which the medications are prescribed.
 - (d) Any other documentation required by the governing authority of the public elementary or secondary school.
- (2) The documentation required by Paragraph (1) of this Subsection shall be kept in the office of the school nurse or other designated school official.
- (3) The governing authority of the public elementary and secondary school shall inform the parent or other legal guardian of the student in writing that the school and its employees shall incur no liability as a result of any injury sustained by the student from the self-administration of medications used to treat asthma or anaphylaxis. The parent or legal guardian of the student shall sign a statement acknowledging that the school incur no liability and the parent or other legal guardian shall indemnify and hold harmless the school and its employees against any claims that may arise relating to the self-administration of medications used to treat asthma or anaphylaxis.
- (4) For the purposes of this Subsection:
 - (a) "Auto-injectable epinephrine" means a medical device for the immediate self-administration of epinephrine by a person at risk for anaphylaxis.
 - (b) "Inhaler" means a medical device that delivers a metered dose of medication to alleviate the symptoms of asthma.
- (5) A student who has granted permission to self-administer medication pursuant to the Subsection shall be allowed to carry and store with the school nurse or other designated school official an inhaler or auto-injectable epinephrine, or both, at all times.
- (6) Permission for the self-administration of asthma medications or use of auto-injectable epinephrine by a student shall be effective only for the school year in which permission is granted. Permission for self-administration of asthma medications or the use of the auto-injectable ep-pen by a student shall be granted each subsequent school year, provided all of the requirements of this Subsection are fulfilled.
- (7) Upon obtaining permission to self-administer asthma medication or to use auto-injectable epi-pen pursuant to this Subsection, a student shall be permitted to possess and self-administer such prescribed medication at any time while on school property or while attending a school sponsored activity.

(cont'd on pg. 2)

Use of Epi-Pen in School

(cont'd from pg. 1)

(8) A student who uses any medication permitted pursuant to this Subsection in a manner other than as prescribed shall be subject to disciplinary action; however such disciplinary action shall not limit or restrict such student's immediate access to such prescribed medication.

K. (1) Notwithstanding any provision of law or any rule, regulation to the contrary, the governing authority of each public elementary and secondary school shall adopt a policy authorizing a school nurse or trained school employee to administer auto-injectable ep-pen to a student who the school nurse or trained school employee, in good faith, professionally believes is having an anaphylactic reaction, whether or not such student has a prescription for epinephrine. At least one employee at each school shall receive training from a registered nurse or a licensed medical physician in the administration of the auto-injectable epinephrine to respond to the student's anaphylactic reaction, under a standing protocol from a physician licensed to practice medicine in the state.

(2) Each public elementary and secondary school may maintain a supply of auto-injectable epi-pens at the school in a locked, secure, and easily accessible location. A licensed physician may prescribe epinephrine auto-injectors in the name of the school system or the individual school to be maintained for use when deemed necessary pursuant to the provisions of this Subsection.

(3) Each school shall include the policy required by this Subsection in its student handbook and post such policy on the school's website. Such policy shall also be disclosed to any parent or other legal guardian who notifies the school in which the student is enrolled, in writing, that the student has an allergy or other condition which puts him at risk of anaphylaxis.

L.(1) Notwithstanding Subsection A of this Section, the definition of "medication" shall not include sunscreen.

(2) For purposes of this Subsection, "sunscreen" means a compound topically applied to prevent sunburn.

(3) A student may possess and self-apply sunscreen at school, on a school bus, or at a school-sponsored function or activity with parental consent or the authorization of a physician.

(4) If a student is unable to self-apply sunscreen, a school employee may volunteer to apply the sunscreen to the student. A school employee may apply sunscreen to a student only if his parent or legal guardian has provided written consent for this application, and neither a school employee or his employer shall be held liable for any adverse reaction relating to the employee's application of the sunscreen or his cessation of such application.

M. The governing authority of each public and nonpublic elementary and secondary school may adopt a policy that authorizes a school to maintain a supply of naloxone or other opioid antagonists and authorizes a school nurse or other school employee to administer naloxone or another opioid antagonist to any student or other person on school grounds in the event of an actual or perceived opioid emergency. Such a policy shall require school employees other than school nurses receive at least six hours of general training, including training on emergency administration, from a RN or a licensed medical physician prior to being authorized to perform such administration. A school governing authority that does not adopt such a policy shall be subject to civil liability for failing to authorize such supply or administration.