

**HOUSE BILL NO. 85**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVES MEYER, Seaton, McGuire**

**Introduced: 1/19/05**

**Referred: Health, Education and Social Services, Judiciary**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to self-administration and documentation of certain types of**  
2 **medication prescribed to a child attending school."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **\* Section 1.** AS 14.30 is amended by adding a new section to read:

5 **Article 2A. Pupil Health.**

6 **Sec. 14.30.141. Self-administration and documentation of medication. (a)**

7 A school shall permit the self-administration of medication by a pupil for asthma,  
8 anaphylaxis, or other potentially life-threatening illness if, during the current school  
9 year, the pupil's parent or guardian provides the school

10 (1) written authorization for the self-administration of the medication;

11 (2) written certification from the pupil's health care provider that the  
12 pupil

13 (A) has asthma, a condition that may lead to anaphylaxis, or  
14 other potentially life-threatening illness;

1 (B) has received instruction in the proper method of self-  
2 administration of the medication; and

3 (C) is able to self-administer the medication safely;

4 (3) a release of liability for the school and its employees or agents for  
5 injury arising from the self-administration of the medication; and

6 (4) an agreement to indemnify and hold harmless the school and its  
7 employees or agents for any claims arising out the self-administration of the  
8 medication.

9 (b) The school shall provide written notification to the pupil's parent or  
10 guardian of the school's absence of liability related to the self-administration of  
11 medication under this section.

12 (c) A pupil who is permitted to self-administer medication under this section  
13 shall be permitted to carry an inhaler or autoinjectable epinephrine, or both, at all  
14 times as long as the pupil does not endanger any person through the misuse of the  
15 inhaler. Misuse of an inhaler includes exceeding the prescribed dosage of the  
16 medication. An inhaler includes metered-dose, breath-activated, and dry powder  
17 inhalers, and spacers and holding chambers.

18 (d) The school may confiscate a self-administered medication if a pupil  
19 misuses the medication.

20 (e) In this section, "health care provider" means a licensed physician,  
21 advanced nurse practitioner, physician assistant, village health aide, or public health  
22 nurse.