

(LIMITED RUN SHOWING ALL ADDITIONAL SPONSORSHIPS)

SENATE CS FOR CS FOR HOUSE BILL NO. 85(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 4/25/05

Referred: Rules

Sponsor(s): REPRESENTATIVES MEYER, Seaton, McGuire, LeDoux, Kerttula, Gara, Gardner, Dahlstrom, Lynn, Cissna

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 public school shall permit the self-administration of medication by a pupil for
8 asthma or anaphylaxis if, during the current school year, the pupil's parent or guardian
9 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 or a condition that may lead to anaphylaxis;

14 (B) has received instruction in the proper method of self-

1 administration of the medication; and

2 (C) has demonstrated to the health care provider the skill level
3 necessary to use the medication and any device that is necessary to administer
4 the medication as prescribed;

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

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

10 (5) a written treatment plan for the pupil that is signed by the pupil's
11 health care provider for managing asthma or anaphylaxis episodes, a list and dosage of
12 medications needed during school hours, and permission for and instruction on storage
13 of the medication at school; and

14 (6) any other documentation required by the school that is consistent
15 with this section.

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

19 (c) A pupil who is permitted to self-administer medication under this section
20 shall be permitted to carry and to store with the school nurse or other designated
21 school official an inhaler or autoinjectable epinephrine, or both, at all times.

22 (d) If a student uses the student's prescribed medication in a manner other than
23 as prescribed, disciplinary action according to school codes may be imposed upon the
24 student. The imposed disciplinary action may not limit or restrict the student's
25 immediate access to the student's prescribed medication.

26 (e) In this section, "health care provider" means a licensed physician,
27 advanced nurse practitioner, physician assistant, village health aide, or pharmacist
28 operating within the scope of the health care provider's authority.