

X Monitored X Mandated X Other Reasons**Legal References**

ADMINISTERING MEDICATION**QSAC Monitored:**

DPR: Governance – 1

SRO: Governance – 1

Mandated:

N.J.S.A. 18A:40-12.5 through -12.6 requires policy for the administration of epinephrine via epi-pen for pupil anaphylaxis. Parental permission and a doctor's authorization are required for students with known allergies that cause anaphylaxis. N.J.S.A. 18A:40-12.5 was amended to include provisions for the school nurse or trained designee to treat students having an anaphylactic reaction with epinephrine when the student has no known history of anaphylaxis. Districts are required to maintain an accessible supply of epinephrine prescribed under a standing protocol from a licensed physician or an advanced practice nurse.

N.J.S.A. 18A:40-12.8 requires the adoption of administrative code by the State Board that would require board policy on the administration of asthma medication through the use of a nebulizer by the school nurse or other designee.

N.J.A.C. 6A:16-2.1(a) 2 requires written policy, procedures and mechanisms for the provision of health, safety and medical emergency services and to ensure staff are informed regarding the administration of medication to students at school by authorized individuals.

N.J.A.C. 6A:16-2.1(a) 5 incorporates the statutory requirement in 18A:40-12.8. Boards shall develop policies for the treatment of asthma in the school setting, requiring that each school nurse be authorized to administer medication through the use of a nebulizer; be trained in airway management and the use of the nebulizer; and that each student authorized to use asthma medication have an Asthma Action Plan (AAP).

Other Reasons:

Bernards Township commissioner decision declared only school nurses could administer medication. Communications Workers of America state board decision declares registered nurse can also administer medication. N.J.A.C. 18A:40-12, as amended by P.L. 2007, c. 57, requires the school nurse to recruit and train additional school employees as "volunteer designees" to administer epinephrine for anaphylaxis when the nurse is not physically present.

N.J.S.A. 18A:40-12.3 requires the board to permit pupil self-administration of medication for asthma or other potentially life-threatening illnesses.

In June 1995 the State Department of Education Division of Student Services issued Policy Advisory #1, which included a definition of "life-threatening illness" developed in consultation with the State Department of Health and the New Jersey Chapter of the American Academy of Pediatrics. It also included a recommendation that district policy allowing self-medication should contain a statement that the privilege may be revoked if the pupil has failed to comply with policy conditions and tenets of the agreement to self-medicate.

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In September 2008, the New Jersey Department of Education (NJDOE) issued two guidance documents, which are available on the NJDOE web site:

- A. Training Protocols for the Emergency Administration of Epinephrine (9/08)
- B. Guidelines for the Management of Life-Threatening Food Allergies in Schools (9/08)

When implementing school policy and P.L. 2007, C. 57, staff should consult these NJDOE documents.

N.J.S.A. 18A:40-12.5 requires the placement of a pupil's prescribed epinephrine and a supply of epinephrine prescribed under the standing protocol from a licensed physician in a secure but unlocked location easily accessible by the school nurse and trained designees to ensure prompt availability in the event of an allergic emergency at school or at a school-sponsored function.

N.J.S.A. 18A:40-12.6c authorizes the school nurse in consultation with the board of education to recruit and train additional school employees to administer epinephrine.

Administration of naloxone for opioid overdose:

A memorandum issued by the commissioner of education May 24, 2016 stated:

It is the position of the New Jersey Department of Education (NJDOE) that school districts may develop and adopt policies and procedures to maintain and administer opioid antagonists (naloxone) to any student, school personnel or other person believed to be experiencing an opioid overdose during school hours or during on-site school-sponsored activities to block the opioids life-threatening effects.

School districts are encouraged to consult with the Department of Human Services (DHS), their physician, legal counsel, and the school community at large prior to the development of naloxone policies and procedures. Furthermore, written policies and procedures must be adopted by the district board of education or governing authority prior to implementation.

N.J.S.A. 24:6J-1 et seq. Overdose Prevention Act authorizes physicians to prescribe naloxone to anyone in a position to assist others during an overdose (third-party prescribing). The law provides immunity from civil and criminal liability for a health care professional or pharmacist who, acting in good faith, who prescribes or dispenses an opioid antidote; non-health care professionals who have received patient overdose information issued by the Department of Human Services for administering an opioid antidote; and persons seeking medical assistance of someone experiencing a drug overdose.

<https://education.state.nj.us/broadcasts/?p=y>

<https://education.state.nj.us/broadcasts/2016/MAY/24/14963/Information%20for%20Schools%20Regarding%20Opioid%20Overdose%20Prevention.pdf>

Recommendation:

A policy outlining conditions under which medication may be administered to pupils during the school day. Should address parent/guardian administration and student self-administration under supervision of the school nurse. The administration of epinephrine by the school nurse or designee(s) via epi-pen and administering asthma medication through the use of a nebulizer should also be included.

The board must also allow pupil self-administration of medication without supervision of the nurse for asthma or other life-threatening illnesses.

<u>Legal References:</u>	<u>N.J.S.A. 18A:11-1</u>	General mandatory powers and duties
	<u>N.J.S.A. 18A:40-1</u>	Employment of medical inspectors, optometrists and nurses; salaries; terms; rules
	<u>N.J.S.A. 18A:40-3.2 et seq.</u>	Medical and Nursing Personnel
	<u>N.J.S.A. 18A:40-4</u>	Examination for physical defects and screening of

ADMINISTERING MEDICATION (continued)

<u>N.J.S.A.</u> 18A:40-7	hearing of pupils
<u>N.J.S.A.</u> 18A:40-12.3	Exclusion of pupils who are ill
through -12.4	Self-administration of medication by pupil;
<u>N.J.S.A.</u> 18A:40-12.5	conditions
	Policy for emergency administration of epinephrine
	to public school pupils
<u>N.J.S.A.</u> 18A:40-12.6	Administration of epinephrine; primary responsibility;
through -12,6d	parental consent
<u>N.J.S.A.</u> 18A:40-12.7	Nebulizer
<u>N.J.S.A.</u> 18A:40-12.8	Administration of asthma medication by school
	nurse through nebulizer; training; pupil asthma
	treatment plan
<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
<u>N.J.S.A.</u> 24:6J-1 <u>et seq.</u>	Overdose Prevention Act
<u>N.J.S.A.</u> 45:11-23	Definitions
<u>N.J.A.C.</u> 6A:16-1.1 <u>et seq.</u>	Programs to Support Student Development
See particularly:	
<u>N.J.A.C.</u> 6A:16-1.3,	
-2.1,-2.2, -2.3, -2.4, -3.1,	
-3.1	

Overdose Prevention Act, P.L. 2013, c. 46

Bernards Township Education Association v. Bernards Township Board of Education, 1981 S.L.D. (9/29/81), aff'd State Board, 1982 S.L.D. 4/7/82, aff'd App. Div., unpublished opinion (A-4211-81T3, 5/18/83)

Communications Workers of America, Local 1033, On behalf of Karen Norton, Barbara Woolston, Mary Ellen Schoen et al. v. New Jersey State Department of Education, Marie H. Katzenbach School for the Deaf, State Board Docket #52-91

Policy Advisory #1 on N.J.S.A. 18A:40-12.3 et seq. Self-Administration of Medication By a Pupil, New Jersey State Department of Education, June 5, 1995

Protocol and Implementation Plan for the Emergency Administration of Epinephrine by a Delegate Trained by the School Nurse, New Jersey State Department of Education, October, 1998

For training for the administration of naloxone see:

<http://www.state.nj.us/humanservices/dmhas/initiatives/naloxone.html>

Possible**Cross References:**

*5131.6	Drugs, alcohol, tobacco (substance abuse)
*5141	Health
*5141.1	Accidents
*5141.2	Illness
*5141.3	Health examinations and immunizations
*6153	Field trips

*Indicates policy is included in the Critical Policy Reference Manual.