

ASSEMBLY BILL NO. 285—ASSEMBLYMEN WOODBURY,
OSCARSON; AND TITUS

MARCH 13, 2015

Referred to Committee on Education

SUMMARY—Revises provisions relating to the self-administration of certain medications in public schools. (BDR 34-812)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to pupils; allowing pupils to self-administer prescribed medications for diabetes under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law allows the parent or legal guardian of a pupil who has asthma or
2 anaphylaxis to request authorization from the principal or, if applicable, the school
3 nurse of the public school in which the pupil is enrolled to allow the pupil to self-
4 administer medication for the treatment of asthma or anaphylaxis while the pupil is
5 on the grounds of a public school, at an activity sponsored by the public school or
6 on a school bus. Existing law provides that if the request contains certain specified
7 information, the principal or, if applicable, the school nurse is required to approve
8 the request. (NRS 392.425) This bill similarly allows the parent or legal guardian of
9 a pupil who has diabetes to request an authorization to self-administer medication
10 for the treatment of diabetes and requires the principal or, if applicable, school
11 nurse to approve the request if the request contains certain information.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 392.425 is hereby amended to read as follows:
2 392.425 1. The parent or legal guardian of a pupil who has
3 asthma, ~~or~~ anaphylaxis *or diabetes* may submit a written request
4 to the principal or, if applicable, the school nurse of the public
5 school in which the pupil is enrolled to allow the pupil to



1 self-administer medication for the treatment of the pupil's asthma ,
2 ~~for~~ anaphylaxis *or diabetes* while the pupil is on the grounds of a
3 public school, participating in an activity sponsored by a public
4 school or on a school bus.

5 2. A written request made pursuant to subsection 1 must
6 include:

7 (a) A signed statement of a physician indicating that the pupil
8 has asthma , ~~for~~ anaphylaxis *or diabetes* and is capable of
9 self-administration of the medication while the pupil is on the
10 grounds of a public school, participating in an activity sponsored by
11 a public school or on a school bus;

12 (b) A written treatment plan prepared by the physician pursuant
13 to which the pupil will manage his or her asthma , ~~for~~ anaphylaxis
14 *or diabetes* if the pupil experiences an asthmatic attack or
15 anaphylactic shock while on the grounds of a public school,
16 participating in an activity sponsored by a public school or on a
17 school bus; and

18 (c) A signed statement of the parent or legal guardian:

19 (1) Indicating that the parent or legal guardian grants
20 permission for the pupil to self-administer the medication while the
21 pupil is on the grounds of a public school, participating in an
22 activity sponsored by a public school or on a school bus; and

23 (2) Acknowledging that the parent or legal guardian is aware
24 of and understands the provisions of subsections 3 and 4.

25 3. The provisions of this section do not create a duty for the
26 board of trustees of the school district, the school district, the public
27 school in which the pupil is enrolled, or an employee or agent
28 thereof, that is in addition to those duties otherwise required in the
29 course of service or employment.

30 4. If a pupil is granted authorization pursuant to this section to
31 self-administer medication, the board of trustees of the school
32 district, the school district and the public school in which the pupil
33 is enrolled, and any employee or agent thereof, are immune from
34 liability for the injury to or death of the pupil as a result of self-
35 administration of a medication pursuant to this section or the failure
36 of the pupil to self-administer such a medication.

37 5. Upon receipt of a request that complies with subsection 2,
38 the principal or, if applicable, the school nurse of the public school
39 in which a pupil is enrolled shall provide written authorization for
40 the pupil to carry and self-administer medication to treat his or her
41 asthma , ~~for~~ anaphylaxis *or diabetes* while the pupil is on the
42 grounds of a public school, participating in an activity sponsored by
43 a public school or on a school bus. The written authorization must
44 be filed with the principal or, if applicable, the school nurse of the
45 public school in which the pupil is enrolled and must include:



1 (a) The name and purpose of the medication which the pupil is
2 authorized to self-administer;

3 (b) The prescribed dosage and the duration of the prescription;

4 (c) The times or circumstances, or both, during which the
5 medication is required or recommended for self-administration;

6 (d) The side effects that may occur from an administration of the
7 medication; and

8 (e) The name and telephone number of the pupil's physician and
9 the name and telephone number of the person to contact in the case
10 of a medical emergency concerning the pupil.

11 6. The written authorization provided pursuant to subsection 5
12 is valid for 1 school year. If a parent or legal guardian submits a
13 written request that complies with subsection 2, the principal or, if
14 applicable, the school nurse of the public school in which the pupil
15 is enrolled shall renew and, if necessary, revise the written
16 authorization.

17 7. If a parent or legal guardian of a pupil who is authorized
18 pursuant to this section to carry medication on his or her person
19 provides to the principal or, if applicable, the school nurse of the
20 public school in which the pupil is enrolled doses of the medication
21 in addition to the dosage that the pupil carries on his or her person,
22 the principal or, if applicable, the school nurse shall ensure that the
23 additional medication is:

24 (a) Stored on the premises of the public school in a location that
25 is secure; and

26 (b) Readily available if the pupil experiences an asthmatic attack
27 , ~~or~~ anaphylactic shock *or diabetic episode* during school hours.

28 8. As used in this section:

29 (a) "Medication" means any medicine prescribed by a physician
30 for the treatment of anaphylaxis , ~~or~~ asthma ~~or~~ *or diabetes*,
31 including, without limitation, asthma inhalers , ~~and~~ auto-injectable
32 epinephrine ~~or~~ *and insulin*.

33 (b) "Physician" means a person who is licensed to practice
34 medicine pursuant to chapter 630 of NRS or osteopathic medicine
35 pursuant to chapter 633 of NRS.

36 (c) "Self-administer" means the auto-administration of a
37 medication pursuant to the prescription for the medication or written
38 directions for such a medication.

39 **Sec. 2.** This act becomes effective on July 1, 2015.

