



Students may, subject to the provisions of this administrative regulation, have prescription or nonprescription medication administered by designated personnel, or may be permitted to administer prescription or nonprescription medication to themselves.

Definitions

1. "Administer" means the direct application of a drug or device whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject by: (1) a practitioner or the practitioner's authorized agent; or (2) the patient or research subject at the direction of the practitioner. (ORS 689.005)
2. "Medication" means medication that is not injected; premeasured doses of epinephrine that are injected, medication that is available for treating adrenal insufficiency; and Naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug. "Medication" also means any prescription for bronchodilators or autoinjectable epinephrine prescribed by a student's Oregon licensed health care professional for asthma or severe allergies. "Medication" does not include nonprescription sunscreen. (ORS 339.866; ORS 339.867)
3. "Prescription medication" means a "prescription drug" as defined in ORS 689.005, means a drug that is: required by federal law, prior to being dispensed or delivered, to be labeled with "Caution: Federal law prohibited dispensing without prescription" or "Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian"; or required by any applicable federal or state law or regulation to be dispensed on prescription only or is restricted to use by practitioners only.
4. "Nonprescription medication" means nonprescription drugs as defined in ORS 689.005, which means drugs that may be sold without prescription and that are prepackaged for use by the consumer and labeled in accordance with the requirements of the statutes and regulations of this state and the federal government. (OAR 581-021-0037)
5. "Adrenal Crisis" means a sudden, severe worsening of symptoms associated with adrenal insufficiency, such as severe pain in the lower back, abdomen or legs, vomiting, diarrhea, dehydration, low blood pressure or loss of consciousness. (OR 433.800)
6. "Adrenal Insufficiency" means a hormonal disorder that occurs when the adrenal glands do not produce enough adrenal hormones. (ORS 433.800)
7. "Notice of a Diagnoses of Adrenal Insufficiency" means written notice to the district from the parent or guardian of a student who has been diagnosed as adrenal insufficient with a copy of an order from the student's primary care provider that includes the student's diagnosis, description of symptoms indicating the student is in crisis, prescription for medication to treat adrenal insufficiency crisis and instructions for follow-up care after medication to treat adrenal insufficiency crisis has been administered. (OAR 581-021-0037)
8. "Prescriber¹" means a "practitioner" as defined in ORS 689.005, which means a person licensed and operating within the scope of such license to prescribe, dispense, conduct research with respect to or administer drugs in the course of professional practice or research. (OAR 581-021-0037)
9. "Severe allergy" means a life-threatening hypersensitivity to a specific substance such as food, pollen, or dust. (ORS 339.866)
10. "Asthma" means a chronic inflammatory disorder of the airways that requires ongoing medical intervention. (ORS 339.866)
11. "Designated personnel" means the district personnel designated and trained to administer medication pursuant to district policy and procedure.
12. "Delegation" means a formal delegation of a nursing procedure by a registered nurse to district personnel in accordance with the Oregon Nurse Practice Act. (OAR Chapter 851)

¹ A registered nurse who is employed by a public or private school, ESD or local public health authority to provide nursing services at a public or private school may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the school for not more than 90 days.

13. "Opioid overdose" means a medical condition that causes depressed consciousness, depressed respiratory function or the impairment of vital bodily functions as a result of ingesting opioids. (ORS 689.800)
14. "Short-acting opioid antagonist" means any short-acting drug approved by the U.S. Food and Drug Administration for the complete or partial reversal of an opioid overdose. (ORS 689.800)
15. "District and/or school sponsored event" means events that are conducted under the auspices or sponsorship of the district and/or school. The event will take place on district property or a location approved by the district and will primarily involve students in other than classroom situations (i.e., classroom field trips).

Designated Staff / Training

1. Medications, including injectable medications, may be administered by select district personnel as part of a formal teaching process by a Bend-La Pine Schools' registered nurse.
2. The principal or appropriate district administrator, in consultation with the school nurse, will designate district personnel authorized to administer prescription or nonprescription medication to a student which takes into account when the student is in school, at a district-sponsored activity, under the supervision of district personnel, or in transit to or from school or a district-sponsored activities, and may include when a student is in a before-school or after-school care program on district-owned property when required by law. The principal will supervise and ensure building and activity practices and procedures are consistent with the requirements of law, rules, policy, and this administrative regulation.
3. The district will provide staff who are designated personnel to administer prescription or nonprescription medication access to a school nurse.
4. The principal or appropriate district administrator will ensure the annual training required by Oregon law is provided to designated district personnel. Training must be conducted by a qualified trainer, which is a person who is familiar with the delivery of health services in a school setting and who is either a Bend-La Pine Schools' registered nurse licensed by the Oregon State Board of Nursing or a prescriber. District personnel designated to administer epinephrine, glucagon, and medication to treat adrenal insufficiency shall be trained using related training developed by the Oregon Health Authority (OHA). The first training and every third training thereafter shall be provided in-person². During subsequent years, designated district personnel may complete an online training so long as a trainer is available following the training to answer questions and provide clarification.
5. The training for district personnel will provide an overview of applicable provisions of Oregon law, administrative rules, district policy and administrative regulations and include, but not be limited to, discussion of the following: safe storage, administration, handling and disposing of medications; accessibility of medication during an emergency; record keeping; whether response to medication should be monitored by designated personnel and the role of designated personnel in such monitoring; emergency medical response procedures following administration of the medication; confidentiality of health information; and assessment of gained knowledge. Training as recommended and/or approved by ODE will be used.
6. The district shall maintain documentation of district personnel's completion of training in accordance with OAR 166-400-0010.

Administering Premeasured Doses of Epinephrine to a Student or Other Individual

A premeasured dose of epinephrine may be administered by trained district personnel to any student or other individual on school premises who the personnel believe, in good faith, is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

Administering of Medication to a Student Experiencing Symptoms of Adrenal Crisis

A student experiencing symptoms of adrenal crisis while the student is in school, at a district-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and/or in transit to or from a school or district-sponsored activity, may be treated by designated personnel and shall be subject to the following:

1. Upon notice of a diagnosis of adrenal insufficiency, as defined in OAR 581-021-0037, the building principal, appropriate district administrator, or school nurse will designate one or more district personnel to receive training and be

² An online training may qualify as "in-person" when these measures are met: content is provided via synchronous, interactive online sessions with a trainer and learners visible on screen; trainers must be licensed and work within their scope of practice; and include in-person, skills demonstration for training developed by the Oregon Health Authority for epinephrine, glucagon, and for medication to treat adrenal insufficiency.

- responsible for administering the medication to treat adrenal insufficiency to a student in the event the student exhibits symptoms the district personnel believe in good faith indicate the student is experiencing symptoms of adrenal crisis;
2. The designated personnel will successfully complete the training to administer medication to treat a student who has adrenal insufficiency and is experiencing symptoms of adrenal crisis;
 3. The student's parent or guardian must provide adequate supply of the student's prescribed medication to the district;
 4. In the event that a student experiences symptoms of adrenal crisis and the designated personnel determines the medication to treat adrenal insufficiency should be administered, any available staff member will immediately call 911 and the student's parent or guardian.

Administering Short-Acting Opioid Antagonists

A short-acting opioid antagonist may be administered by any district personnel³ to any student or other individual, on school premises who the individual administering the short-acting opioid antagonist believes in good faith is experiencing an overdose of an opioid drug.

The school nurse shall immediately notify the parent or guardian of a minor student enrolled in a school within the district when a short-acting opioid antagonist is administered to the student while at school, on school property under the jurisdiction of the district or at any activity under the jurisdiction of the district.

The district shall provide to the parent or legal guardian of each minor student enrolled in a school in the district information regarding short-acting opioid antagonists. The information will include at least:

1. A description of short-acting opioid antagonists and their purpose;
2. A statement regarding, in an emergency situation, the risks of administering to an individual a short-acting opioid antagonist and the risks of not administering to an individual a short-acting opioid antagonist;
3. A statement identifying which schools in the district, if any, have short-acting opioid antagonists, and the necessary medical supplies to administer short-acting opioid antagonists, onsite and available for emergency situations; and
4. A statement that a representative of the district may administer a short-acting opioid antagonist to a student in an emergency if the student appears to be unconscious and experiencing an opioid overdose.

Administering Medications to a Student

1. A request to permit designated personnel to administer medication to a student may be approved by the district and is subject to the following:
 - a. A written request for designated personnel to administer prescription medication to a student, if because of the prescribed frequency or schedule, the medication must be given while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, and in transit to or from school or a school-sponsored activity, must be submitted to the school office and shall include:
 - i. The written permission of the student's parent or guardian; and
 - ii. The written instruction from the prescriber for the administration of the medication to the student that includes:
 1. Name of the student;
 2. Name of the medication;
 3. Method of administration;
 4. Dosage;
 5. Frequency of administration;
 6. Other special instructions from the prescriber, if any; and
 7. Signature of the prescriber.

The prescription label prepared by a pharmacist at the direction of the prescriber, will be considered to meet this requirement if it contains the information listed in 1.-7. above.

- b. A written request for designated personnel to administer nonprescription medication to a student must be submitted to the school office and is subject to the following:
 - i. The nonprescription medication is necessary for the student to remain in school;
 - ii. The nonprescription medication is:

³ Including district personnel who have not received medication administration training.

1. Provided in the original manufacturer's container by the parent or guardian of the student; or
 2. Is part of the district's stock medication program in compliance with the Oregon Board of Pharmacy rules including OAR 855-035-0005.
- ii. The written instruction from the student's parent or guardian for the administration of the nonprescription medication includes:
1. Name of the student;
 2. Name of the medication;
 3. Method of administration;
 4. Dosage;
 5. Frequency of administration;
 6. Other special instructions, if any; and
 7. Signature of the student's parent or guardian.

If the written instruction is not consistent with the manufacture's guidelines for the nonprescription medication, the written instruction must also include a written order allowing the inconsistent administration signed by a prescriber.

- c. If the nonprescription medication is not approved by the Food and Drug Administration (FDA), a written order from the student's prescriber is required and will include:
- iii. Name of the student;
 - iv. Name of the medication;
 - v. Dosage;
 - vi. Method of administration;
 - vii. Frequency of administration;
 - viii. A statement that the medication must be administered while the student is in school;
 - ix. Other special instructions, if any; and
 - x. Signature of the prescriber.
2. An individualized health care and allergy plan will be developed for a student with a need to manage asthma or a known life-threatening allergy. A plan will include protocols for preventing exposures to allergens and procedures for responding to life-threatening allergic responses, and include provisions for administering medication and/or responding to emergency situations while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity.
 3. A student being administered a medication may be monitored by designated personnel to monitor the student's response to the medication;
 4. A determination will be made by the district on if or when the student may self-carry prescription medication if the student has not been approved to self-administer medication;
 5. It is the student's parent or guardian's responsibility to ensure that an adequate amount of medication is on hand at the school for the duration of the student's need to take medication.
 6. It is the student's parent or guardian's responsibility to ensure that the school is informed in writing of any changes in medication instructions.
 7. In the event a student refuses medication, the parent or guardian will be notified immediately. No attempt will be made to administer medication to a student who refuses a medication.
 8. Any error in administration of a medication will be reported to school nurse and the parent or guardian immediately and documented on a medication administration record and the district's Accident/Incident Report Form. Errors include, but are not limited to, administering medication to the wrong student, administering the wrong medication, dose, frequency of administration, or method of administration.
 9. Medication shall not be administered until the necessary permission form and written instructions have been submitted as required by the district.

Administration of Medication by a Student to Themselves

1. A student, including a student in grades K through 12 with asthma or severe allergies, may be permitted to administer prescription or nonprescription medication to themselves without assistance from designated personnel and is subject to the following:

- a. A student must demonstrate the ability, developmentally and behaviorally, to self-administer prescription medication and must have:
 - i. The written permission from a parent or guardian and other documentation requested by the district must be submitted for self-medication of all prescription medications;
 - ii. If the student has asthma, diabetes and/or a severe allergy, a medication that is prescribed by a prescriber and a written treatment plan developed by a prescriber or other Oregon licensed health care professional for managing of the student's asthma, diabetes and/or severe allergy, and directs use by the student while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a district sponsored before-school or after-school care program on school-owned property and in transit to or from school or a school sponsored activity. The prescriber will include acknowledgement that the student has been instructed in the correct and responsible use of the prescribed medication;
 - iii. The permission to self-administer the medicine from a Bend-La Pine Schools' school nurse.
 - iv. District staff may request permission from a physician for self-administration procedure and/or directions.
 - b. A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication and must have:
 - i. The written permission of the student's parent or guardian;
 - ii. The student's name affixed to the manufacturer's original container; and
 - iii. The permission to self-administer medication from a school nurse.
 - c. A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication that is not approved by the FDA and must have:
 - i. The written permission of the student's parent or guardian; and
 - ii. A written order from the student's prescriber that includes:
 1. Name of the student;
 2. Name of the medication;
 3. Dosage;
 4. Method of administration;
 5. Frequency of administration;
 6. A statement that the medication must be administered while the student is in school, at a district-sponsored activity, under the supervision of district personnel, or in transit to or from school or district-sponsored activities;
 7. Other special instructions, if any; and
 8. Signature of the prescriber.
2. A determination will be made by the district on if or when the student may self-carry prescription medication if the student has not been approved to self-administer medication;
 3. The student may have in their possession only the amount of medication needed for that school day, except for manufacturer's packaging that contains multiple dosage, the student may carry one package, such as, but not limited to, auto injectable epinephrine or bronchodilators/inhalers;
 4. The sharing and/or borrowing of any medication with another student is strictly prohibited;
 5. The district personnel will request backup medication, when the medication is to treat a student's asthma or severe allergy emergency, from the student's parent or guardian. Backup medication, if provided by a student's parent or guardian, will be kept at the student's school in a location to which the student has immediate access in the event the student has an asthma and/or severe allergy emergency;
 6. A student shall not administer medication to themselves until the necessary permission form and written instructions have been submitted as required by the district;
 7. The permission for a student to administer medication to themselves may be revoked if the student does not responsibly self-administer the medication or abuses the use of the medication as determined by district personnel;
 8. A student may be subject to discipline, up to and including expulsion, as appropriate for violations of these procedures;
 9. A student permitted to administer medication to themselves may be monitored by designated personnel to monitor the student's response to the medication;
 10. The district allows the application of and use by students of nonprescription sunscreen, including sunscreen that contains para-aminobenzoic acid, without any required documentation from a licensed health care professional per ORS 339.874.

Handling, Monitoring and Safe Storage of Medication Supplies for Administering Medication to Students

1. Any medication administered by designated personnel to a student or self-administered by a student, must be delivered to the school, by the parent or guardian, in its original container, accompanied by the permission form and written instructions, as required above.
2. Prescription medication must always be the most current prescription and kept in the original, labeled container.
3. Nonprescription medication must be kept in original manufacturer's bottle or box.
4. Medication in capsule or tablet form and categorized as a sedative, stimulant, anticonvulsant, narcotic analgesic or psychotropic medication will be counted or measured by designated personnel or parent or guardian in the presence of another district employee upon receipt, documented in the student's medication administration record (MAR) and routinely monitored during storage and administration. Any discrepancies will be reported to the school nurse immediately and documented in the student's MAR. For such medication not in capsule or tablet form, standard measuring and monitoring procedures will apply.
5. Designated personnel will follow the written instructions of the prescriber and the student's parent or guardian, and training guidelines as may be recommended by ODE for administering all forms of prescription and/or nonprescription medications.
6. Medication will be secured as follows:
 - a. Non-refrigerated medications will be stored in a locked cabinet, drawer or box in a secure area;
 - b. Medications requiring refrigeration will be stored in a locked box in a refrigerator or in a separate refrigerator used solely for the storage of medication in a secure area;
 - c. Access to medication storage keys will be limited to designated personnel.
7. Designated personnel will be responsible for monitoring all medication supplies and for ensuring medication is secure at all times, not left unattended after administering and that the medication container is properly sealed and returned to storage.
8. When medication is running low or an inadequate dosage is on hand to administer the medication, the designated personnel will notify the student's parent or guardian immediately.

Emergency Response

1. Any available staff member will notify 911 or other appropriate emergency medical response systems and staff trained to administer first aid, as necessary, in the event of life-threatening side effects and allergic reactions, including the administration of epinephrine. The parent or guardian, school nurse and principal will be notified immediately.
2. Adverse reactions that result from district-administered medication or from student self-medication will be reported to the parent or guardian immediately.
3. Any available district staff will immediately call 911 and the student's parent or guardian if the designated personnel believes the student is experiencing symptoms of adrenal crisis and plans to administer medication.
4. Any available staff member will notify 911 when short-acting opioid antagonist is administered to any student or other individual on district premises.

Disposal of Medications

1. Medication not picked up by the student's parent or guardian at the end of the school year or within five (5) school days of the end of the medication period, whichever is earlier, will be disposed of by designated personnel following medication disposal guidelines. The medication may be disposed of in a non-recoverable fashion as follows:
 - a. Medication will be removed from its original container and personal information will be destroyed;
 - b. Mix with an undesirable substance, e.g., coffee grounds, used cat litter;
 - c. Place in a plastic bag or other sealable container, e.g., such as an empty plastic container; and
 - d. Place the sealed container with the mixture in the trash as close to garbage pickup time as possible, to prevent theft and misuse.

Transcribing, Recording and Record Keeping

1. A medication administration record (MAR) will be maintained for each student administered medication by the district. The MAR will be in paper⁴ or electronic form and will include, but not be limited to:

⁴ If a paper record is kept, the record will be documented in blue or black ink, and never in pencil or with the use of white-out.

- a. The full name of the student, date of birth, name of medication, dosage, method of administration, date, and time of administration, frequency of administration and the name of the person administering the medication;
 - b. Student refusals of medication;
 - c. Errors in administration of medication;
 - d. Incidents of emergency and minor adverse reaction by a student to medication;
 - e. Discrepancies in medication supply;
 - f. Disposal of medication including date, quantity, manner in which the medication was destroyed and the signature of the staff involved.
2. All records relating to administration of medications, including permissions and written instructions, will be maintained. Records will be retained in accordance with applicable provisions of OAR 166-400-0010(17) and OAR 166-400-0060(29).
 3. All records relating to the training of designated district personnel will be maintained by the district in accordance with applicable provisions of OAR 166-400-0010.
 4. Student health information will be kept confidential. Access shall be limited to those designated personnel authorized to administer medication to students, the student and their parent or guardian. Information may be shared with district personnel with a legitimate educational interest in the student or others authorized by the parent or guardian in writing or others as allowed under state and federal law.

Non-liability Provisions for Administration of Prescription and Nonprescription Medications and Short-Acting Opioid Antagonists

A school administrator, teacher or other school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administration of nonprescription medication, if the school administrator, teacher or other school employee in good faith administers nonprescription medication to a student pursuant to the manufacturer's guidelines and written permission and instructions of the student's parents or guardian.

A school administrator, teacher or other school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administration of prescription medication, if the school administrator, teacher or other school employee in compliance with the instructions of a physician, physician assistant, nurse practitioner, naturopathic physician or clinical nurse specialist, in good faith administers prescription medication to a student pursuant to written permission and instructions of the student's parents or guardian.

A person may not maintain an action for injury, death or loss that results from acts or omissions of a school administrator, teacher or other school employee during the administration of a short-acting opioid antagonist unless it is alleged and proved by the complaining party that the school administrator, teacher or other school employee was grossly negligent in administering the short-acting opioid antagonist unless other conditions exist and which are outlined in Oregon law in ORS 339.870.

The civil and criminal immunities provided for above do not apply to an act or omission accounting to gross negligence or willful and wanton misconduct.

Non-Liability Provisions for Self-Administration and Autoinjectable Epinephrine

A school administrator, school nurse, teacher or other school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of a student's self-administration of medication, as described in ORS 339.866, if the school administrator, school nurse, teacher or other school employee, in compliance with the instructions of the student's Oregon licensed health care professional, in good faith assists the student's self-administration of the medication, if the medication is available to the student pursuant to written permission and instructions of the student's parent/guardian or Oregon licensed health care professional.

A school administrator, school nurse, teacher or other school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the use of medication if the school administrator, school nurse, teacher or other school employee in good faith administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-administer the medication regardless of whether the student or individual has a prescription for epinephrine.

The district and the members of a district Board are not liable in a criminal action or for civil damages as a result of the use of medication if any person in good faith administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-administer the medication, regardless of whether the student or individual has a prescription for

epinephrine; and the person administered the autoinjectable epinephrine on school premises, including at a school, on school property under the jurisdiction of the district or at an activity under the jurisdiction of the district.

The civil and criminal immunities described above (which are identified in ORS 339.871) do not apply to an act or omission to gross negligence or willful and wanton misconduct.

END OF ADMINISTRATIVE REGULATION

REVIEWED: 1/07, 1/31/18, 9/28/18, 2/19/19, 8/9/22, 4/8/25

APPROVED: 1/07, 10/4/18, 2/20/19, 9/13/22, 4/8/25