

## **ASTHMA MEDICATION AND EPINEPHRINE AUTO INJECTORS**

### Asthma Medication

A student attending any school in the District may possess and use at school or at any activity, event, or program sponsored by or in which his/her school is a participant, a metered dose inhaler or a dry powder inhaler to alleviate asthmatic symptoms or to prevent the onset of asthmatic symptoms before exercise, if both of the following conditions are satisfied:

- A. The student has the written approval of his/her physician and, if the student is a minor, the written approval of his/her parent, guardian or other person having care or charge of the student. This physician's written approval shall contain the following information.
  1. The student's name and address;
  2. The names and dose of the medication contained in the inhaler;
  3. The date the administration of the medication is to begin;
  4. The date, if known, that the administration of the medication is to cease;
  5. Written instructions that outline procedures school personnel should follow in the event the asthma medication does not produce the expected relief from the student's asthma attack;
  6. Any severe adverse reactions that may occur to the child using the inhaler and that should be reported to the physician;
  7. Any severe adverse reactions that may occur to another child, for whom the inhaler is not prescribed, should such a child receive a dose of the medication;
  8. At least one emergency telephone number for contacting the physician in an emergency;
  9. At least one emergency telephone number for contacting the parent, guardian, or other person having care or charge of the student in an emergency;
  10. Any other special instructions from the physician.
- B. The school principal and school nurse assigned to the student's building has received copies of the written approvals required by division A. of this policy.

### Immunity from Tort Liability

The District, a member of the Board of Education, or a District employee shall not be liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from a District employee's prohibiting a student from using an inhaler because of the employee's good faith belief that the conditions of divisions A. and B. of this policy had not been satisfied.

The District, a member of the Board, or a District employee shall not be liable in damages in a civil action or injury, death, or loss to person or property allegedly arising from a District employee's permitting a student to use an inhaler because of the employee's good faith belief that the conditions of divisions A. and B. of this policy had been satisfied.

When the District is required to permit a student to possess and use an inhaler because the conditions of divisions A. and B. of this policy have been satisfied, the District, any member of the Board, or any District employee is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from the use of the inhaler by a student for whom it was not prescribed.

Nothing in this policy eliminates, limits, or reduces any other immunity or defense that the District, any member of the Board, or any District employee may be entitled to under O.R.C. Chapter 2744, any other provision of the Revised Code, or the common law of the state.

### Procurement of Inhalers by Board

As used in this policy, "inhaler" means a device that delivers medication to alleviate asthmatic symptoms, is manufactured in the form of a metered dose inhaler or dry powdered inhaler, and may include a spacer, holding chamber, or other device that attaches to the inhaler and is used to improve the delivery of the medication.

The Board may procure inhalers for each of its schools to have on the school premises for use in emergency situations. The Board shall, at all times, have at least two (2) inhalers at each of its school buildings.

### Prescriber-Issued Protocol:

The Superintendent shall obtain a prescriber-issued protocol that includes definitive orders for inhalers, including the dosage of medication to be administered through them, the number of times that each inhaler may be used before disposal, and the methods of disposal.

District Protocol:

1. Inhalers shall be stored at the following location in each school: the clinic.
2. Inhalers shall be kept in the carrying tube they come in, tightly closed, at room temperature and away from light, extreme temperatures and moisture. Inhalers must be replaced when the expiration date on the device or device packaging has passed. An inhaler must be disposed of if used or tampered with.
3. In addition to school nurses and athletic trainers, Board employees who have received training in accordance with this policy may access and use an inhaler to provide a dosage of medication to an individual in an emergency situation.
4. The District's nurse or another licensed healthcare provider, as determined by the Superintendent, shall provide inhaler use training to Board employees in accordance with this policy. Such training shall include lessons on proper storage, procurement, and use of an inhaler. Such training must be completed before an employee is authorized to access and use an inhaler.
5. A school nurse, athletic trainer, or other employee authorized to access and use an inhaler may use such device if an individual exhibits asthmatic symptoms, or in other emergency situations where use is medically necessary.
6. Assistance from an emergency medical provider must be requested immediately after an inhaler is used.
7. A dosage of medication may be administered through an inhaler in an emergency situation to students, Board employees or contractors, and school visitors.

Liability

The District, a member of the Board, or a District or school employee or contractor is not liable in damages in a civil action for injury, death, or loss to person or property that allegedly arises from an act or omission associated with procuring, maintaining, accessing, or using an inhaler under this Board policy, unless the act or omission constitutes willful or wanton misconduct. This limitation of liability does not limit, or reduce any other immunity or defense that the District, a member of the Board, or District or school employee or contractor may be entitled to under Chapter 2744 of the Ohio Revised Code, or any other provision of the Revised Code or under the common law of this state.

The Board may accept donations of inhalers from a wholesale distributor of dangerous drugs or a manufacturer of dangerous drugs, as defined in O.R.C. §4729.01, and may accept donations of money from any person to purchase inhalers.

The Board shall report to the Ohio Department of Education each procurement and occurrence in which an inhaler is used from a school's supply of inhalers.

Epinephrine Auto Injectors

EMPLOYEE USE:

Prescriber-Issued Protocol:

The Superintendent shall obtain a prescriber-issued protocol that includes definitive orders for epinephrine autoinjectors and the dosages to be administered through them.

District Protocol:

1. Epinephrine auto injectors shall be stored at the following location in each school building: Office of school nurse and near the A.E.D. device.
2. Epinephrine auto injectors shall be kept in the carrying tube they come in, tightly closed, at room temperature and away from light, extreme temperatures and moisture. Epinephrine auto injectors must be replaced when the expiration date on the device or device packaging has passed. An epinephrine auto injector must be disposed of if used or tampered with.
3. In addition to school nurses and athletic trainers, Board employees who have received training in accordance with this policy may access and use an epinephrine auto injector to provide a dosage of epinephrine to an individual in an emergency situation.
4. The District's nurse or another licensed healthcare provider, as determined by the Superintendent, shall provide epinephrine auto injector training to Board employees in accordance with this policy. Such training shall include lessons on proper storage, procurement, and use of the epinephrine auto injector. Such training must be completed before an employee is authorized to access and use an epinephrine auto injector.
5. A school nurse, athletic trainer, or other employee authorized to access and use an epinephrine auto injector may use such device if an individual exhibits signs and symptoms of anaphylaxis, or in other emergency situations where use is medically necessary.
6. Assistance from an emergency medical provider must be requested immediately after an epinephrine auto injector is used.

7. A dosage of epinephrine may be administered through an epinephrine auto injector in an emergency situation to students, Board employees or contractors, and school visitors.

**STUDENT USE:**

A student attending any school in the District may possess and use at school or at any activity, event, or program sponsored by or in which his/her school is a participant, an epinephrine auto injector to treat anaphylaxis if both of the following conditions are satisfied:

- A. The student has the written approval of the prescriber of the auto injector and, if the student is a minor, the written approval of his/her parent, guardian or other person having care or charge of the student. This prescriber's written approval on the appropriate form shall contain at least the following information.
  1. The student's name and address;
  2. The names and dosage of the medication contained in the auto injector;
  3. The date the administration of the medication is to begin;
  4. The date, if known, that the administration of the medication is to cease;
  5. Acknowledgment that the prescriber has determined that the student is capable of possessing and using the auto injector appropriately and has provided the student with training in the proper use of the auto injector;
  6. Circumstances in which the auto injector should be used;
  7. Written instructions that outline procedures school personnel should follow in the event the student is unable to administer the anaphylaxis medication or the medication does not produce the expected relief from the student's anaphylaxis;
  8. Any severe adverse reactions that may occur to the child using the auto injector and that should be reported to the prescriber;
  9. Any severe adverse reactions that may occur to another child, for whom the auto injector is not prescribed, should such a child receive a dose of the medication;
  10. At least one emergency telephone number for contacting the prescriber in an emergency;

11. At least one emergency telephone number for contacting the parent, guardian, or other person having care or charge of the student in an emergency;
  12. Any other special instructions from the prescriber.
- B. The school principal and school nurse assigned to the student’s building has received copies of the written approvals required by division A. of this section of the policy.
- C. The school principal or, if a school nurse is assigned to the student’s school building, the school nurse has received a back-up dose of the anaphylaxis medication from the parent, guardian, or other person having care or charge of the student, or, if the student is not a minor, from the student.
- D. Whenever a student possesses an auto injector at school or at any activity, event, or program sponsored by or in which the student’s school is a participant, or whenever a school employee administers anaphylaxis medication to a student that was possessed by the student pursuant to the written approval described above, a school employee shall immediately request assistance from an emergency medical service provider.

#### Immunity from Tort Liability

The District, a member of the Board, or a District employee shall not be liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from a District employee’s prohibiting a student from using an auto injector because of the employee’s good faith belief that the conditions of divisions A. and B. of this section had not been satisfied.

The District, a member of the Board, or a District employee shall not be liable in damages in a civil action or injury, death, or loss to person or property allegedly arising from a District employee’s permitting a student to use an auto injector because of the employee’s good faith belief that the conditions of divisions A. and B. of this section had been satisfied.

When the District is required to permit a student to possess and use an auto injector because the conditions of divisions A. and B. of this section have been satisfied, the District, any member of the Board, or any District employee is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from the use of the auto injector by a student for whom it was not prescribed.

The District, a member of the Board, or a District employee or contractor is not liable in damages in a civil action for injury, death, or loss to person or property that allegedly arises from an act or omission associated with procuring, maintaining, accessing, or using an epinephrine auto injector, unless the act or omission constitutes willful or wanton misconduct.

Nothing in this policy eliminates, limits, or reduces any other immunity or defense that the District, any member of the Board, or any District employee may be entitled to under O.R.C. Chapter 2744, any other provision of the Revised Code, or the common law of the state.

LEGAL REFS: O.R.C. §§3313.716; 3313.718; 3313.7110

Adopted: August 10, 2017