

### **ASTHMA MEDICATION**

A student attending any school in the Cuyahoga Falls City School 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. The 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 school district, a member of the Board of Education, or a school 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 school district, a member of the Board of Education, or a school 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 a school 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 school district, any member of the Board of Education, or any school 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 school district, any member of the Board of Education, or any school 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 building \_\_\_\_\_.
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.

LEGAL REFS: O.R.C. §3313.716

Adopted: July 19, 2017

## CUYAHOGA FALLS CITY SCHOOL DISTRICT

### AUTHORIZATION FOR THE POSSESSION AND USE OF ASTHMA INHALERS

Student Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

Authorization is hereby given for the student named above to:

- receive the prescribed medication indicated from the designated school personnel
- self-administer the prescribed medication as permitted by law.

Medication Name: \_\_\_\_\_

Dosage: \_\_\_\_\_

Date the administration is to begin: \_\_\_\_\_

Date the administration is to cease: \_\_\_\_\_

Adverse reactions that should be reported to the physician: \_\_\_\_\_

\_\_\_\_\_

Adverse reactions for unauthorized user: \_\_\_\_\_

\_\_\_\_\_

Procedure to follow in the event that medication does not produce the expected relief from student's asthma attack: \_\_\_\_\_

\_\_\_\_\_

Other special instructions: \_\_\_\_\_

\_\_\_\_\_

**Physician and parent/guardian names, signature, and emergency phone numbers are required.**

Physician name: \_\_\_\_\_ Phone: \_\_\_\_\_

Signature: \_\_\_\_\_  
Date \_\_\_\_\_

Parent/guardian Name: \_\_\_\_\_ Phone: (Home) \_\_\_\_\_  
(Work) \_\_\_\_\_  
(Other) \_\_\_\_\_

Signature: \_\_\_\_\_  
Date \_\_\_\_\_

Copies must be provided to principal and to the school nurse if one is assigned to the student's building.