

STATE BOARD OF EDUCATION – ADMINISTRATIVE RULE SUMMARY

Title/OAR # : First Reading—Administration of Prescription and Nonprescription Medication to Students/ OAR 581-021-0037

Date: December 10, 2015

Staff/Office: Ely Sanders, Student Services
Mitch Kruska, Student Services
Sarah Drinkwater, Student Services

New Rule **Amend Existing Rule** **Repeal Rule**

Hearing Date: _____ **Hearings Officer Report Attached**

Prompted by: **State law changes** **Federal law changes** **Other**

Action Requested:

First Reading/Second Reading **Adoption** **Adoption/Consent**

Agenda

PROPOSED/AMENDED RULE SUMMARY: Amends existing rule on the administration of prescription and nonprescription medication to align with three bills passed during 2015 legislative session.

BACKGROUND:

SB 875, HB 3041, and HB 3149, all signed in to law during the 2015 legislative session, require modification to OAR 581-021-0037. SB 875 directs the State Board of Education to adopt rules under which school personnel may administer medications that treat adrenal insufficiency to students experiencing adrenal crises. HB 3041 directs school districts to allow the outdoor use, by students, of sun-protective clothing, including hats; the application of and use by students of nonprescription sunscreen without any documentation from a licensed health care professional. HB 3149 allows a registered nurse, employed by a public or private school, to accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the United States 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.

ODE convened two stakeholder groups that included ODE’s School Nurse Advisory Group (SNAG) members as well as community stakeholders representing the Oregon Health Authority, Adrenal Insufficiency United, OSBA, and OSEA. All modifications and additions are supported and aligned with the legislation passed during the 2015 session.

The State Board of Education has discretion on a limited number of the proposed modifications and additions to OAR 581-021-0037. SB 875 requires the State Board of Education to adopt rules relating to adrenal insufficiency. HB 3041 and HB 3149 do not require the State Board to adopt rules.

- N/A; first read—hasn’t been before board
 No; same as last month
 Yes – As follows:

FISCAL IMPACT: No fiscal impact to the Department.

EFFECT OF YES VOTE: OAR 581-021-0037 will be modified to reflect and align with the new school district requirements of SB 875, HB 3041, and HB 3149.

EFFECT OF NO VOTE: New requirements for districts will not be reflected in OAR.

STAFF RECOMMENDATION:

- Adopt administrative rule as prepared this month
- Adopt administrative rule next month
- No recommendation at this time (rarely used)

Comments: