

CONTENTS--MEDICATIONS IN SCHOOLS 1/2000

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MEDICATIONS IN SCHOOL

MEDICATION: Administration Statutes Title 20-A, secs. 254(5)

§254(5). Medication. The Commissioner shall provide for the administration of medication within schools as follows:

A. The Commissioner shall adopt rules for the administration of medication in public or approved private schools, including the training of unlicensed personnel to administer medication. The rules for training must describe how the department will provide training at the local level directly to unlicensed personnel in school administrative unit or approved private school in the State. Rules adopted pursuant to this section are major substantive rules pursuant to Title 5, Chapter 375, subchapter II-A.

B. Any public or approved private school shall have a written policy and procedure for administering medication. The written local policy must include the requirement that all unlicensed personnel who administer medication receive training before receiving authorization to do so. Compliance with the provisions of this subsection is a requirement for basic school approval pursuant to sections 2902 and 4502.

Title 20A §4009. Emergency medical treatment. Notwithstanding any other provision of any public or private and special law, any non-licensed agent or employee of a school or school administrative unit who renders first aid, emergency treatment or rescue assistance to a student during a school program may not be held liable for injuries alleged to have been sustained by that student or for the death of that student alleged to have occurred as a result of an act or omission in rendering such aid, treatment or assistance. This subsection does not apply to injuries or death caused willfully, wantonly or recklessly or by gross negligence on the part of the agent or employee.

[Title 32, §2102\(2\) Definitions](#)

2. 2. Professional nursing. The practice of "professional nursing" means the performance, by a registered professional nurse, for compensation of professional services defined as follows:

F. Administration of medications and treatment as prescribed by a legally authorized person. Nothing in this section may be construed as limiting the administration for medication by licensed or unlicensed personnel as provided in other laws.

A certified school nurse is licensed by the Maine Board of Nurses certified by the Department of Education.

BACKGROUND

The need to administer medications in school is increasing with the:

1. 1. number of children who require medical intervention to participate in a school setting;
2. 2. increasing complexity of the medications being used;
3. 3. addition of nutrition supplements and dietary formulas that are prescribed by a physician, available through the pharmacy or over the counter, regulated by the Federal Food and Drug Administration, considered to be medication.

While medical personnel (school physicians and school nurses) are available to school, they may not be available in adequate numbers or on schedules that ensure their availability to administer medication.

Therefore:

- Unlicensed personnel (people for whom administration of medication is not within the scope of their professional education or functions) may need to administer medications in order for children to participate in school.
- Unlicensed personnel must receive medicine administration training.
 - In order to administer medication safely, people who are to administer medications need to understand their specific role and the policies and procedures under which they are expected to function, and to have the basic information that makes them safe administrators of medication.

GUIDELINES

Following a hearing before the Joint Standing Committee of the Maine Legislature on Educational and Cultural Affairs in Spring of 1995, the Department of Education convened a Work Group to address issues of safe administration of medications in the school setting. The implementation of the resulting Guidelines is continuing under the School Health Advisory Committee (SHAC). Key elements of the program are:

- • The policies and procedures for giving medication in school should be in place before the training program occurs.
- • Training is consistent throughout the state using standardized curriculum "Guidelines Training of Non-licensed Personnel in Medication Administration Instructors Manual".
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The Training Model is:

- • A designated "master trainer" will provide training for school nurses and other appropriate persons.
- • Local certified school nurse or other qualified trainer will train unlicensed personnel.
- • Follow-up program should be provided to keep unlicensed personnel current.

Compliance with training of unlicensed personnel will be evaluated and is tied to school approval.

I. TRAIN THE TRAINER

PARTICIPANTS: The training is for school nurses or health care providers who are licensed to administer medications and who function, or are eligible to function, independently within the school setting, with the expectation that they will then implement the training of the unlicensed personnel in their schools. The "Guidelines for training of Non-licensed Personnel in Administration Instructors Manual" will be used.

FOCUS: In order to teach the program, the school nurses need to know:

- • Policy and procedures for schools, legal perimeters
- • Adult learning modalities and teaching strategies for adults
- • Supervision techniques, including ways of determining capabilities, evaluations
- • Implementation strategies
- • Current medication theory and practice

II. TRAINING OF UNLICENSED PERSONNEL TO GIVE MEDICATIONS IN SCHOOLS

TIME: The time required includes presentation of information, practice, demonstration and observation. The time needed and scheduling will depend on such factors as:

- • The education and experience of the person being trained, such as previous training regarding medications, experience with children and youth, previous and present working relationship between the school nurse and the individual.
- • The scope of medication being discussed, such as a specific medication or a range of medications that might be administered.
- • The situation in the specific school setting, such as availability of the school nurse and the amount of action that the individual would need to take in case of an unusual occurrence.
- • The training plan, i.e. one training updated annually, or done initially with increments throughout the year as medications are added.

CONTENT and length of the training will vary depending on the situation, as discussed above. The training time is projected for 4-16 hours for the full content, as listed here.

1. Policies for administration of medication, including legal and ethical responsibility.
2. How to use resources
3. Basic anatomy and physiology related directly to the administration of medication,
4. Scheduling and timing.
5. Method of administration, including measurement of doses and self-administration
6. Recognition of medications
7. Preparation and administration
8. Reading prescriptions, including abbreviations
9. Housing, storage of medications, transporting, disposal
10. Knowledge of medication to be given, including interactions with other medications, substances
11. Characteristics of children: Growth and development, focus on the individual child.

POLICIES AND PROCEDURES

* DEFINITIONS:

Administration: "administration" means to assure that the right medication is given to the right student, by the right route, at the right time, and with the right dose.

Department: "Department" means the Maine Department of Education.

Medication: "medication" means both prescription and non-prescription drugs.

Parent: ‘parent’ means a natural or adoptive parent, a guardian, or a person acting as a parent of a child (such as a grandparent or step-parent with whom the child lives, or a person who is legally responsible for the child’s welfare).

School Nurse: ‘school nurse’ means a registered professional nurse who has received certification from the Maine Department of Education.

School Setting: ‘school setting’ means on school site and on school sponsored activities away from the school unit, such as field trips and other extracurricular activities.

Self-Administration: ‘self-administration’ means the administered of medication by the student to his or her self under direct or indirect supervision of the school nurse.

Supervision: ‘supervision’ means the direct or indirect oversight or coordination of the unlicensed personnel who administer medication.

Training for Unlicensed Personnel: ‘training for unlicensed personnel’ means the organized and systematic training offered by the Department or by school nurses or other health care providers who are licensed to administer medications and who have taken the "Train the Trainer Program" and/or who use a curriculum approved by the Department as their training curriculum.

Unlicensed Personnel: ‘unlicensed personnel’ means any person who is not licensed by any profession that allows for the administration of medication.

2. RECOMMENDATIONS FOR THE ADMINISTRATION OF MEDICATION IN A SCHOOL SETTING.

- A. All unlicensed personnel who administer medications in a school setting must receive training.
- B. As the provision of medication falls under the duties and responsibilities of the school nurse, the school nurse will provide direction and oversight for the administration of medications in the school.
- C. A list of authorized personnel who may administer medication and the documentation of training for unlicensed personnel will be kept on file within the school district.
- D. All school administrative units and approved private schools will establish written local policies and procedures for the safe administration of medication in schools. The policy/procedures must include the following:
 1. Scope of medications and circumstances under which medications may be administered in school.
 2. The procedure for allowing the administration of medication in school including the requirement of a current written request from the parent and the medication presented in its original labeled medication container. If the medication is to be given for more than 15 days, a written order from the prescribing health care provider is recommended.
 3. The parameters and requirements for medications that can be self-administering by students.

4. How the medications are to be safely transported to and from school, on field trips, and how medication will be safely stored at the school.
 5. The plan for administration of medication when the usual administrator is not available and for special school activities such as a field trip or extra curricular activities.
 6. The process to be followed in an emergency.
 7. The process for documentation in the student's health record.
 8. The process for disposal of medication that is in compliance with applicable law.
3. TRAINING OF UNLICENSED PERSONNEL TO ADMINISTER MEDICATIONS IN SCHOOLS
- A. The training of unlicensed school personnel will be either provided directly by the Department or by the school nurse using the official curriculum of the Department or a curriculum approved by the Department.
 - B. The scope of the training for unlicensed personnel may be adjusted depending on the education and experience of the personnel being trained, the medication(s) to be administered, the specific school setting, and the task for which the unlicensed person will be responsible.
 - C. The school nurse will provide ongoing supervision and periodic updates and review to unlicensed personnel who have been trained to administer medications to students.
 - D. The school nurse is responsible to determine the competency of the unlicensed personnel in the administration of medication. If the personnel is determined not to be competent to administer medication, the school principal will reassign the task to another personnel after the person has been appropriately trained. If no qualified personnel is available, the principal is responsible until a competent person is found.
 - E. Personnel who have been trained in administration of a medication for a specific, clearly defined program, such as administration of fluoride in the Maine Bureau of Health, Oral Health Program, are exempt from this rule in regard to the administration of that particular medication.

POLICIES AND PROCEDURES: Sample

The recommended policy for CONTENT is in CAPITAL LETTERS: other text reflects recommendations for wording of the actual policy.

1. SCOPE OF MEDICATIONS TO BE ADMINISTERED IN SCHOOL MUST BE CLEARLY DEFINED IN POLICY:

A. INCLUDING PRESCRIPTION AND NON-PRESCRIPTION MEDICATION.

- 1) 1) For the purposes of this policy, "medication" includes prescription and non-prescriptions medication, and nutrition supplements and dietary formulas that are prescribed by a physician, available through the pharmacy or over the counter, and regulated by the Federal Food and Drug Administration

B. CIRCUMSTANCES UNDER WHICH MEDICATIONS MAY BE ADMINISTERED IN SCHOOL..

- 1) 1) Administration of medication on the school premises is discouraged.
- 2) 2) A parent should confer with the doctor or health care provider who is licensed to prescribe medication to allow the student to receive all prescribed doses at home when possible.
- 3) 3) When the health care provider deems that medication must be administered during the school day in order for the pupil to attend school, such administration is done in accordance with school policy.
- 4) 4) At least the initial dose of the medication must be administered at home prior to being administered in the school setting.

2. PERSONNEL PERMITTED TO ADMINISTER MEDICATION MUST BE CLEARLY DELINEATED: WHICH TYPES OF PERSONNEL CAN GIVE WHAT TYPE OF MEDICATION; TRAINING AND SUPERVISION OF UNLICENSED PERSONNEL.

- A. Medication may be administered by the school nurse or trained unlicensed (non-medically licensed) staff under the supervision of a school nurse, with a clearly defined back-up plan in place.

3. LEGAL RESPONSIBILITY OF THE LOCAL SCHOOL SYSTEM MUST BE DEFINED.

A. The school board disclaims any and all responsibility for the diagnosis and prescription of medical treatment of any pupil.

B. Personnel are authorized to administer medication within the limits of their training.

C. Unlicensed personnel who administer medication must be trained.

4. BEFORE MEDICATION IS ADMINISTERED IN SCHOOL, THERE MUST BE A WRITTEN REQUEST FROM THE PARENT/GUARDIAN AND A WRITTEN ORDER FROM THE PRESCRIBING HEALTH CARE PROVIDER.

A. THE WRITTEN PERMISSION FROM THE PARENT/GUARDIAN GIVES INFORMED CONSENT FOR THE ADMINISTRATION OF THE MEDICATION.

- 1) 1) Indicates that the medication may be administered by a medical licensed or a trained non-medical licensed personnel, in accordance with the policy.
- 2) 2) Indicates who is to be informed if there are problems with administering the medication, including missed medication, and how to reach that person.
- 3) 3) Indicates that information about the medication may be shared with appropriate school personnel.
- 4) 4) The request will be approved by the school nurse to assure that:
 - • it can be given within the policies;
 - • it can be administered safely to the student within the school setting;
 - • the person giving the medication has been appropriately trained;
 - • the written order from the health care provider is complete and accurate.

B. THE WRITTEN, DATED, ORDER OF THE HEALTH CARE PROVIDER INCLUDES:

- 1) 1) CONDITION FOR WHICH THE MEDICATION IS BEING PRESCRIBED
- 2) 2) THE INTENDED RESULT OF THE MEDICATION
- 3) 3) DOSAGE AND METHOD OF ADMINISTRATION
- 4) 4) TIME AT WHICH OR SPECIFIC CIRCUMSTANCES UNDER WHICH THE MEDICATION IS TO BE ADMINISTERED
- 5) 5) THE LENGTH OF TIME FOR WHICH THE MEDICATION IS PRESCRIBED (AND NO LONGER THAN THE CURRENT SCHOOL YEAR)
- 6) 6) REPORTABLE SIDE EFFECTS

C. THE WRITTEN ORDER MUST BE RENEWED WITH CHANGES IN:

- 1) 1) ANY OF THE INFORMATION ON THE WRITTEN ORDER
- 2) 2) THE HEALTH CARE PROVIDER
- 3) 3) The personnel administering the medication or the condition of the child.

D. PERMISSION AND WRITTEN ORDER ARE NEEDED EVEN IF THE STUDENT WILL BE ADMINISTERING THE MEDICATION TO HIM OR HERSELF, UNDER THE SUPERVISION OF THE SCHOOL NURSE.

5. SAFE TRANSPORT AND STORAGE OF MEDICATION MUST BE ASSURED.

A. MEDICINE MUST BE DELIVERED TO THE SCHOOL IN ITS ORIGINAL CONTAINER BY THE PUPIL'S PARENT/GUARDIAN.

B. ONLY A LIMITED SUPPLY OF THE MEDICINE WILL BE KEPT AT SCHOOL.

C. MEDICATION WILL BE STORED IN A SECURE, SAFE LOCATION IN ACCORDANCE WITH STORAGE DIRECTIONS FOR THE MEDICATION.

- 1) 1) Students are not permitted to carry medication, unless this permission is indicated on the written .permission and the health care provider written order and approved by the school nurse.
- 2) 2) Storage will be in a locked area.

6. DOCUMENTATION OF THE REQUESTS FOR ADMINISTRATION OF MEDICATION, AND THE DISPOSITION OR IMPLEMENTATION OF THOSE REQUESTS MUST BE MAINTAINED, INCLUDING:

- A. THE CONDITION OF THE STUDENT BEFORE, DURING AND AFTER ADMINISTRATION
- B. THE DOSAGE ADMINISTERED AND METHOD OF ADMINISTRATION
- C. MEDICATION ERROR, INCLUDING MISSED ADMINISTRATION, AND ACTION TAKEN.
- D. SHARING INFORMATION ABOUT A CHILD: WHAT INFORMATION IS SHARED, WITH WHOM, UNDER WHAT CIRCUMSTANCES.

7. PLAN FOR ADMINISTRATION IF THE USUAL ADMINISTRATOR IS NOT AVAILABLE, AND FOR SPECIAL SCHOOL ACTIVITIES.

8. THERE IS AN ESTABLISHED PROCESS FOR INVOLVING THE COMMUNITY IN THE ESTABLISHMENT AND REVIEW OF THE MEDICATION POLICY.

*Certified School Nurses must be cognizant of issues of liability and consider carrying their own malpractice insurance. Reviewing school policy for liability coverage for school nurses is also recommended.