

FDAC Health Requirements and Services

Medical Treatment

School Consent to Medical Treatment—

The school in which a minor student is enrolled may consent to medical treatment of that student, provided:

1. The person having the power to consent as otherwise provided by law cannot be contacted.
2. Actual notice to the contrary has not been given by that person.

Utah Code § 78B-3-406(6)(c) (2017)

Form of Consent—

Consent to medical treatment under this policy shall be in writing, signed by the school official giving consent, and given to the doctor, hospital, or other medical facility that administers the treatment.

Administering Medication—

Employees of the District may administer medication to a student during periods when the student is under the control of the school, subject to the following conditions:

1. The District has received a current written and signed request to administer the medication during regular school hours to the student from the parent, legal guardian, or other person having legal control of the student.
2. The student's physician, dentist, nurse practitioner or physician assistant has provided a signed statement describing the method, amount, and time schedule for administration, and a statement that administration of medication by school employees during periods when the student is under the control of the school is medically necessary.
3. Oral, topical, and inhalant medication may be administered by assigned school personnel. Medications requiring other routes of administration will not be given by school personnel except in emergency situations, with the exception of glucagon, see policy below. In non-emergency situations, medications requiring other routes of administration must be given by a registered nurse, with the exception of glucagon, see policy below.

4. All medication that is to be given at school, with the exception of medication that is required in an emergency situation, must be furnished by the parent or guardian and delivered to the school by a responsible adult.
5. All prescription medication must be in the original container labeled by the pharmacy with the name of the student, the name of the physician, the name of the medication, the amount to be given (dose), and the duration of the treatment. Over-the-counter drugs must be in the original bottle and labeled with the student's name.
6. All medication provided to the school is to be kept in a secure location.
7. Insofar as possible, one person should be assigned the responsibility of administering student medication.
8. A record including the type of medication, amount, and the time and day it was administered should be kept for each student receiving medication at school. The person administering the medication should sign the record each time medication is given.
9. Elementary and middle school students are not to carry or self-administer medication on school premises unless it has been authorized under Policy FDACB (for asthma or diabetes medication) or FDACC (for epinephrine) or is expressly ordered by the student's physician because of potentially life-threatening circumstances, including, but not limited to, asthma medication, diabetes medication, glucagon and epinephrine.
10. Authorization for administration of medication by school personnel may be withdrawn by the school at any time following actual notice to the student's parent or guardian.
11. School personnel, who provide assistance under this policy in substantial compliance with the physician's or dentist's written statement, and the District are not liable, civilly or criminally, for any adverse reactions suffered by the student as a result of taking the medication or discontinuing the administration of the medication pursuant to this policy.

Utah Code § 53G-9-502 (2018)

School and District Administration shall consult with the Department of Health and other health professionals to determine:

1. Designation of employees who may administer medication.
2. Proper identification and safekeeping of medication.
3. Training of designated employees.
4. Maintenance of records of administration.

Utah Code § 53G-9-502(1)(a) (2018)

Administration of Glucagon—

The following provisions govern administration of glucagon in place of the provisions set forth above under “Administering Medication.” A glucagon authorization shall include a signed statement from a parent or guardian of a student with diabetes:

1. Certifying that glucagon has been prescribed for the student;
2. Requesting that the student’s public school identify and train school personnel who volunteer to be trained in the administration of glucagon; and
3. Authorizing the administration of glucagon in emergency situations to the student.

After receiving a glucagon authorization from a student’s parent or legal guardian, the school shall:

1. Within a reasonable time, train two or more school personnel who volunteer to be trained in the administration of glucagon, with training provided by the school nurse or another qualified, licensed medical professional;
2. Retain for reference the written materials prepared for training personnel;
3. Permit a student and/or school personnel to possess or store prescribed glucagon so that it will be available for administration in an emergency;
4. Allow all interested personnel to receive training in the administration of glucagon. Training in the administration of glucagon shall include:
 - a. Techniques for recognizing the symptoms that warrant the administration of glucagon;
 - b. Standards and procedures for the storage and use of glucagon;
 - c. Other emergency procedures, including calling the emergency 911 and contacting, if possible, the student’s parent or guardian.

A person who has received glucagon administration training may administer glucagon at a school or school activity to a student with a glucagon authorization if:

1. The student is exhibiting the symptoms that warrant the administration of glucagon; and
2. A licensed health care professional is not immediately available.

A person who administers glucagon in accordance with this policy shall direct a responsible person to call 911 and take other appropriate actions in accordance with his or glucagon administration training.

School personnel who provide or receive training under this policy and pursuant to Utah Code § 53G-9-504 and act in good faith are not liable in any civil or criminal action for any act taken or not taken under the authority of § 53G-9-504 with respect to the administration of glucagon.

Utah Code § 53G-9-504 (2018)

Utah Code § 53G-9-502(4) (2018)

Administration of Seizure Rescue Medication—

The following provisions govern administration of seizure rescue medication in place of the provisions set forth above under “Administering Medication.” “Seizure rescue medication” is medication prescribed by a health care professional which is given as set out in a student’s rescue seizure authorization while a student is experiencing seizure activity. It does not include medication given intravenously or intramuscularly.

A “seizure rescue authorization” is interpreted and applied in the same manner as a Section 504 accommodation plan would be which:

1. Certifies that
 - a. A prescribing health care professional has prescribed a seizure rescue medication for the student.
 - b. The student’s parent or guardian has previously administered the student’s seizure rescue medication without complication in a setting outside of medical supervision.
 - c. The student has previously ceased having full body prolonged or convulsive seizure activity as a result of receiving the seizure rescue medication.
2. Describes the specific seizure rescue medication authorized for the student, including the indicated dose and instructions for administration.
3. Requests that the student’s school identify and train school personnel who volunteer to be trained to administer seizure rescue medication.
4. Authorizes a trained school employee volunteer to administer seizure rescue medication to the student.

After receiving a seizure rescue authorization from a student’s parent or legal guardian, the school shall:

1. Designate the school employee volunteer(s) who will administer seizure rescue medication
2. Provide training for each volunteer in the administration of seizure rescue medication, with training provided by the school nurse or another qualified, licensed medical professional. The training shall be according to the program developed by the Utah Department of Health, which will include:

- a. Techniques for recognizing the symptoms that warrant the administration of a seizure rescue medication
 - b. Standards and procedures for the storage of a seizure rescue medication
 - c. Other emergency procedures, including calling 911 and contacting the student's parent or guardian
 - d. An assessment to determine competency to administer seizure rescue medication
 - e. An annual refresher training component
 - f. Written materials describing this information
3. Retain for reference the written materials prepared for training personnel
 4. Permit school personnel to possess or store prescribed seizure rescue medication so that it will be available for administration.

A volunteer school employee who has received the required training may administer seizure rescue medication to a student with a seizure rescue authorization if:

1. The student is exhibiting a symptom, described on the student's seizure rescue authorization that warrants the administration of a seizure rescue medication.
2. A licensed health care professional is not immediately available.

A person who administers a seizure rescue medication in accordance with this policy shall direct a responsible person to call 911 and take other appropriate actions in accordance with the seizure rescue medication administration training.

A volunteer school employee who in good faith administers a seizure rescue medication in accordance with this policy and Utah Code § 53G-9-505 is not liable in a civil or criminal action for an act taken or not taken under that authority.

Policy FHA, Safe Schools, and Policy FHAA, Safe Schools: Alcohol and Drugs do not apply to the possession of a seizure rescue medication.

Utah Code § 53G-9-505 (2018)

Utah Code § 53G-9-502(4) (2018)

Civil Liability Immunity—

School personnel shall substantially comply with the health care professional's written statement in order that they and the District and Board may take full advantage of the immunity from liability granted under Utah Code § 53G-9-502(3).

Utah Code § 53G-9-502(3) (2018)

Application of Sunscreen—

If a student is unable to self-apply sunscreen, a volunteer school employee may apply the sunscreen on the student if the student's parent or legal guardian submits written consent for that assistance. If such consent has been given, neither the volunteer school employee nor the District are liable for an adverse reaction suffered by the student as a result of sunscreen application or for discontinuing the application of sunscreen at any time.

Utah Code § 53G-9-208(3), (4) (2018)