

AN ACT relating to medication administration at school.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

SECTION 1. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO READ AS FOLLOWS:

(1) The board of each local public school district and the governing body of each private and parochial school or school district shall have at least one school employee at each school who has met the requirements of KRS 156.502 on duty during the entire school day to administer the following medication in an emergency:

(a) Glucagon subcutaneously, using a glucagon emergency kit, to students with diabetes who are experiencing an altered level of consciousness due to hypoglycemia; and

(b) Diastat rectally to students who are experiencing a seizure.

(2) Prior to administering glucagon or Diastat to a student, the student's parent or guardian shall:

(a) Provide the school with a written authorization to administer the medication at school;

(b) Provide a written statement from the student's health care practitioner which shall contain the following information:

1. Student's name;

2. The name and purpose of the medication;

3. The prescribed dosage;

4. The route of administration;

5. The frequency that the medication may be administered; and

6. The circumstances under which the medication may be administered.

(c) Provide the prescribed medication to the school in its unopened, sealed package with the label affixed by the dispensing pharmacy intact.

- (3) The statements required in subsection (2) of this section shall be kept on file in the office of the school nurse or school administrator.
- (4) The school district or the governing body of each private and parochial school or school district shall inform the parent or guardian of the student that the school and its employees and agents shall not incur any liability as a result of any injury sustained by the student from the administration of his or her medications to treat a hypoglycemic episode or a seizure. The parent or guardian of the student shall sign a written statement acknowledging that the school shall incur no liability and the parent or guardian shall indemnify and hold harmless the school and its employees against any claims related to the administering glucagon to the student with a hypoglycemic episode that lead to an altered level of consciousness or Diastat to the student to stop a seizure. Nothing in this section shall be construed to relieve liability to a school or its employees for negligence.
- (5) The permission for the administration of either glucagon or Diastat shall be effective for the school year in which it is granted and shall be renewed each following school year upon fulfilling the requirements of subsections (2) to (4) of this section.
- (6) The school nurse or school administrator shall check the expiration date monthly for each emergency glucagon kit or Diastat dose in the possession of the school. At least one (1) month prior to the expiration date of each medication, the school nurse or school administrator shall inform the parent or guardian of the expiration date.