

2024 Regular Session

HOUSE BILL NO. 456

BY REPRESENTATIVES DAVIS AND HILFERTY

EDUCATION: Provides relative to the administration of medication at school

1 AN ACT

2 To amend and reenact R.S. 17:436.1(M) and to enact R.S. 17:436.1(O), relative to the
3 administration of medication at schools; to require rather than authorize schools to
4 adopt policies relative to the administration of naloxone or other opioid antagonists;
5 to provide for the administration of certain life-saving medications at schools; to
6 provide relative to the training of school personnel; to provide relative to a limitation
7 of liability; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:436.1(M) is hereby amended and reenacted and R.S. 17:436.1(O)
10 is hereby enacted to read as follows:

11 §436.1. Administration of medication; definition; conditions; restrictions;
12 exceptions

13 * * *

14 M.(1) The governing authority of each public and nonpublic elementary and
15 secondary school ~~may~~ shall adopt a policy that authorizes a school to maintain a
16 supply of naloxone or other opioid antagonists and authorizes a school nurse or other
17 school employee to administer naloxone or another opioid antagonist to any student
18 or other person on school grounds in the event of an actual or perceived opioid
19 emergency. Such a policy shall require that school employees other than school
20 nurses receive ~~at least six hours of general training, including training on emergency~~

1 (b) "Trained school personnel" means a school employee or volunteer who
2 has received the training on life-saving medication that addresses techniques on how
3 to recognize signs of a life-threatening emergency, standards and procedures for the
4 storage and administration of the medication, and emergency follow-up procedures,
5 including the requirement to summon emergency services either immediately before
6 or immediately after administering the medication.

7 (3) The governing authority of a public or nonpublic school may authorize
8 school nurses and other trained school personnel to administer life-saving medication
9 to a student or other person on a school premises or during a school-affiliated
10 activity whom they believe in good faith to be experiencing a medical emergency in
11 accordance with a standing protocol of licensed health professionals authorized to
12 prescribe medication, regardless of whether the student or other person has a
13 prescription for the medication.

14 (4) The governing authority may enter into arrangements with manufacturers
15 or suppliers of such medications to obtain them at fair-market, free, or reduced
16 prices.

17 (5) The following are not liable for damages in a civil action for injury,
18 death, or loss to person or property that allegedly arises from an act or omission
19 associated with administration or self-administration of a life-saving medication,
20 unless the act or omission constitutes willful or wanton misconduct:

21 (a) A public or nonpublic school.

22 (b) A public or nonpublic school employee or volunteer.

23 (c) A licensed health professional authorized to prescribe medication who
24 personally furnishes or prescribes a life-saving medication.

25 (d) A training organization and its personnel.

26 (6) The administration of life-saving medication as provided in this Section
27 does not constitute the practice of medicine or nursing.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 456 Original

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Davis

Abstract: Provides relative to the administration of medication at schools.

Present law authorizes each public and nonpublic school governing authority to adopt a policy authorizing a school to maintain a supply of naloxone or other opioid antagonists and authorizing school employees to administer them in an opioid emergency. Proposed law requires rather than authorizes the adoption of this policy.

Present law provides that a school governing authority that does not adopt such a policy shall not be subject to civil liability for failing to authorize such supply or administration. Proposed law instead provides a limitation of liability on schools, employees, volunteers, health professionals, and training organizations.

Proposed law further authorizes the administration of life-saving medication at schools and applies the same limitation of liability.

(Amends R.S. 17:436.1(M); Adds R.S. 17:436.1(O))