

158.834 Self-administration of medications by students with asthma or anaphylaxis - Authorization -- Written statement -- Acknowledgment of liability limitation -- Duration of permission.

- (1) The board of each local public school district and the governing body of each private and parochial school or school district shall permit the self-administration of medications by a student with asthma or by a student who is at risk of having anaphylaxis if the student's parent or guardian:
 - (a) Provides written authorization for self-administration to the school; and
 - (b) Provides a written statement from the student's health care practitioner that the student has asthma or is at risk of having anaphylaxis and has been instructed in self-administration of the student's prescribed medications to treat asthma or anaphylaxis. The statement shall also contain the following information:
 1. The name and purpose of the medications;
 2. The prescribed dosage;
 3. The time or times the medications are to be regularly administered and under what additional special circumstances the medications are to be administered; and
 4. The length of time for which the medications are prescribed.
- (2) The statements required in subsection (1) of this section shall be kept on file in the office of the school nurse or school administrator.
- (3) 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 incur no liability as a result of any injury sustained by the student from the self-administration of his or her medications to treat asthma or anaphylaxis. The parent or guardian of the student shall sign a 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 relating to the self-administration of medications used to treat asthma or anaphylaxis. Nothing in this subsection shall be construed to relieve liability of the school or its employees for negligence.
- (4) The permission for self-administration of medications 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 (1) to (3) of this section.

Effective: April 21, 2004

History: Amended 2004 Ky. Acts ch. 132, sec. 6, effective April 21, 2004. -- Created 2002 Ky. Acts ch. 50, sec. 3, effective July 15, 2002.