

PENNSYLVANIA STATUTES
TITLE 24. EDUCATION
CHAPTER 1.. PUBLIC SCHOOL CODE OF 1949
ARTICLE XIV.. SCHOOL HEALTH SERVICES

§ 14-1414.1. Possession and use of asthma inhalers

(a) Each school entity shall develop a written policy to allow for the possession and self-administration by children of school age of an asthma inhaler and the prescribed medication to be administered thereby in a school setting.

(b) The policy under this section shall require a child of school age that desires to possess and self-administer an asthma inhaler in a school setting to demonstrate the capability for self-administration and for responsible behavior in the use thereof and to notify the school nurse immediately following each use of an asthma inhaler. The school entity shall develop a system whereby the child may verify to the school nurse that the child is capable of self-administration and has permission for carrying and taking the medication through the use of the asthma inhaler. The school entity shall also restrict the availability of the asthma inhaler and the prescribed medication contained therein from other children of school age, with immediate confiscation of both the asthma inhaler and the medication and loss of privileges if the school policies are abused or ignored.

(c) The policy under this section may include the following:

(1) The requirement of a written statement from the physician, certified registered nurse practitioner or physician assistant that provides the name of the drug, the dose, the times when the medication is to be taken and the diagnosis or reason the medicine is needed unless the reason should remain confidential. The physician, certified registered nurse practitioner or physician assistant shall indicate the potential of any serious reaction that may occur to the medication, as well as any necessary emergency response. The physician, certified registered nurse practitioner or physician assistant shall state whether the child is qualified and able to self-administer the medication.

(2) The requirement of a written request from the parent or guardian that the school entity comply with the order of the physician, certified registered nurse practitioner or physician assistant. The parent's note shall include a statement relieving the school entity or any school employe of any responsibility for the benefits or consequences of the prescribed medication when it is parent-authorized and acknowledging that the school entity bears no responsibility for ensuring that the medication is taken.

(3) The ability of the school entity to reserve the right to require a statement from the physician, certified registered nurse practitioner or physician assistant for the continued use of any medication beyond a specified time period.

(d) As used in this section, "school entity" means a school district, intermediate unit or area vocational-technical school.

HISTORY: Act 2004-187 (H.B. 1113), § 3, approved Nov. 30, 2004, eff. immediately.