

SEA 392 - FAQ GUIDANCE DOCUMENT
August 2017

As of July 1, 2017, SEA 392 expands the list of emergency medications that schools may stock to include epinephrine, albuterol, and naloxone.

1. *What are the key components of this law?*

- a. Allows schools to stock any of the following emergency medications: albuterol, epinephrine, and/or naloxone
- b. Allows a school to fill a prescription for an emergency medication if a licensed health care provider writes a prescription for the medication and the school stores the medication in a safe location where only school employees have access
- c. Requires a pharmacy to dispense epinephrine that has at least a 12-month expiration date
- d. Allows a school nurse (RN) to administer emergency stock medication(s) to students, school employees, or visitors
- e. Allows a school employee to administer emergency stock medication(s) to students, school employees, or visitors if:
 - i. The school employee has voluntarily received training in recognizing a life-threatening emergency and the proper administration of the medication
 - ii. The school employee was trained by a health care provider who is licensed or certified in Indiana, for whom the administration of the emergency medication is within the health care provider's scope of practice, who has received training in the administration of the medication, and who is knowledgeable in recognizing the symptoms of a life-threatening emergency and the administration of the emergency medication
- f. Allows a licensed health care provider to write a prescription, drug order or protocol for an emergency medication for the school
- g. Allows a pharmacist to dispense the emergency medication
- h. Provides civil liability protection for a school nurse or school employee who administers an emergency medication in accordance with the manufacturer's guidelines and the training requirements listed above
- i. Provides civil liability protection for a health care provider who writes a prescription, drug order, or protocol for the school
- j. Provides civil liability protection for the health care provider who provides training to school employees
- k. Requires the Indiana Department of Education to develop guidance materials for each emergency medication
- l. Requires a school employee or school nurse to submit a report to the Indiana Department of Education within 10 days of administering a stock emergency medication

2. *Where can I find a copy of this law?*

A link to this law can be found on the IDOE School Health Webpage by clicking [here](#).

3. *Are schools required to stock all three of these medications?*

No, schools are not required to stock any of these medications. It is up to each school to determine if they will stock one, two, all three, or none of these medications. However, schools

are required to have a plan in place to care for students with medical treatment orders and to care for any student, staff or visitor who may be experiencing a life-threatening emergency.

4. *What is the school's liability if they do not stock one or more of these medications?*

The school's decision to stock any of these medications is a local decision based on the availability of trained personnel, the presence of a licensed health care provider to write a prescription and a standing order for administration of an emergency medication, the presence of a school board approved policy, the response time of EMS, and a needs assessment of their school population.

Regardless of stocking any of these emergency medications, each student that has a medical diagnosis and has their own emergency medication at school should have an Individual Health Plan written for them by the school nurse. Each school should have a plan to respond to any student, staff or visitor who may be experiencing a life-threatening emergency.

5. *What are the steps or the process that needs to take place when stocking any of these emergency medications in a school?*

Several items should be considered by schools when they are developing their stock emergency medication policy and procedures. These items include:

- a. Determine, by involving all stakeholders and through a school assessment, whether stocking a particular emergency medication would be something the school should pursue
- b. Contact your local school health medical advisor to determine his/her willingness to write a prescription and a standing order for a particular emergency medication to be stored and administered by school personnel
- c. Establish policies and procedures identifying who can administer a particular medication, under what conditions, what training is required and who will conduct the training, how many doses will be stocked at each building location, where will the medication be stored, how the medication will be replaced if used, will the medication be available during, before and after school activities, and who will complete the reporting requirements
- d. Refer to the document "Questions to Consider When Developing a School Program for the Administration of Stock Emergency Medication" to review other important items to consider when implementing a stock emergency medication program
- e. Involve legal counsel and medical expertise to understand state and local regulations, position statements, immunities available, liability exposures, etc. in order to help determine if this program is something the school should pursue

6. *Where can I find more specific guidance materials, resources and sample forms for each of these emergency medications?*

More information can be found on the Indiana Department of Education's Health Webpage. The link to this Webpage can be found by clicking [here](#).

7. *Is there a state standing order, written by a licensed health care provider with prescriptive authority, that schools can use to obtain any of these emergency medications?*

There is a state standing order for naloxone only. The Statewide Standing Order, authorized by IC 16-42-27, is provided by the Indiana State Health Commissioner. More information regarding

this Statewide Standing Order can be found on the Indiana State Department of Health's OptIN website by clicking [here](#).

8. *Are there any other special circumstances regarding the stocking of Naloxone as compared to the other two medications?*

Yes, under SEA 392 schools must also follow the requirements set forth in IC 16-42-27. IC 16-42-27 requires an individual or entity wishing to obtain or administer a stock dose of naloxone to register with the Indiana State Department of Health; or obtain the medication and training from a currently registered entity.

Thus, for each stock dose of naloxone, there must be a registered entity that takes the responsibility for ensuring the requirements of IC 16-42-27 have been met. This could be a local health department, a pharmacy, a non-profit organization or a school. Schools could obtain the naloxone medication and the training from a currently registered entity under IC 16-42-27. If a school obtains naloxone from a source that is not a registered entity with the Indiana State Department of Health, then the school must become a registered entity and follow the requirements of IC 16-42-27.

To register as an entity or to find a registered entity in your area, please click [here](#).

9. *Is the school required to report the administration of an emergency medication anytime a medication is given?*

Yes, the school is required to submit a report to the Indiana Department of Education each time one of the stock emergency medications is given to a student, staff member or visitor. The report applies to stock medication given on school property during the school day or at an extracurricular school-sponsored activity.

10. *Is the report required if one of these emergency medications was administered, but it was the person's own medication that was administered and not the school's stock dose of emergency medication?*

If a person's own emergency medication was administered, a report is not required. However, as this would be valuable information to assist the state in determining the usage of these medications and assist other schools with determining the number of doses being administered in the state and in their region, it is recommended that a report be submitted anytime one of these medications is administered and EMS has been notified.

11. *Where can I find the reports?*

The report for each emergency medication can be found on the IDOE Health webpage or by clicking the following links.

- a. Epinephrine – [click here](#)
- b. Albuterol – [click here](#)
- c. Naloxone – [click here](#)

12. *If one of these emergency medications is administered, is it mandatory that EMS be notified?*

Yes, it is best practice that EMS be notified anytime a person is experiencing a life-threatening emergency and one of these medications has been administered. Calling EMS should be a requirement stated in the health care provider's standing order to the school.

13. *Is there any exception where EMS does not have to be notified?*

The only exception to this would be if a student's albuterol was administered as part of the student's Asthma Action Plan and specific orders were given by the student's own health care provider. These specific orders should be written into the student's Individual Health Plan (IHP) by the school nurse (RN) and implemented regarding the steps to follow for each individual student.

14. *Where can I find more information regarding these stock emergency medications?*

More information can be found on the IDOE Health Webpage by clicking [here](#).