

1 AMENDMENT TO HOUSE BILL 898

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 898 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by adding  
5 Sections 10-20.35 and 34-18.22 as follows:

6 (105 ILCS 5/10-20.35 new)

7 Sec. 10-20.35. Self-administration of asthma medication.

8 (a) In this Section:

9 "Medication" means a medicine, prescribed by (i) a  
10 physician licensed to practice medicine in all its branches,  
11 (ii) a physician assistant who has been delegated the  
12 authority to prescribe asthma medications by his or her  
13 supervising physician, or (iii) an advanced practice  
14 registered nurse who has a written collaborative agreement  
15 with a collaborating physician that delegates the authority  
16 to prescribe asthma medications, for a pupil that pertains to  
17 the pupil's asthma and that has an individual prescription  
18 label.

19 "Self-administration" means a pupil's discretionary use  
20 of his or her prescribed asthma medication.

21 (b) A school or school board must permit the  
22 self-administration of medication by a pupil with asthma,

1 provided that:

2 (1) the parents or guardians of the pupil provide  
3 to the school or school board written authorization for  
4 the self-administration of medication; and

5 (2) the parents or guardians of the pupil provide  
6 to the school or school board a written statement from  
7 the pupil's physician, physician assistant, or advanced  
8 practice registered nurse containing the following  
9 information:

10 (A) the name and purpose of the medication;

11 (B) the prescribed dosage; and

12 (C) the time or times at which or the special  
13 circumstances under which the medication is to be  
14 administered.

15 The information provided shall be kept on file in the office  
16 of the school nurse or, in the absence of a school nurse, the  
17 school's administrator.

18 (c) The school or school board must inform the parents  
19 or guardians of the pupil, in writing, that the school or  
20 schools district and its employees and agents are to incur no  
21 liability as a result of any injury arising from the  
22 self-administration of medication by the pupil. The parents  
23 or guardians of the pupil must sign a statement acknowledging  
24 that the school district is to incur no liability as a result  
25 of any injury arising from the self-administration of  
26 medication by the pupil and that the parents or guardians  
27 must indemnify and hold harmless the district and its  
28 employees and agents against any claims arising out of the  
29 self-administration of medication by the pupil.

30 (d) The permission for self-administration of medication  
31 is effective for the school year for which it is granted and  
32 shall be renewed each subsequent school year upon fulfillment  
33 of the requirements of this Section.

34 (e) Provided that the requirements of this Section are

1 fulfilled, a pupil with asthma may possess and use his or her  
2 medication (i) while in school, (ii) while at a  
3 school-sponsored activity, (iii) while under the supervision  
4 of school personnel, or (iv) before or after normal school  
5 activities, such as while in before-school or after-school  
6 care on school-operated property.

7 (105 ILCS 5/34-18.22 new)

8 Sec. 34-18.22. Self-administration of asthma medication.

9 (a) In this Section:

10 "Medication" means a medicine, prescribed by (i) a  
11 physician licensed to practice medicine in all its branches,  
12 (ii) a physician assistant who has been delegated the  
13 authority to prescribe asthma medications by his or her  
14 supervising physician, or (iii) an advanced practice  
15 registered nurse who has a written collaborative agreement  
16 with a collaborating physician that delegates the authority  
17 to prescribe asthma medications, for a pupil that pertains to  
18 the pupil's asthma and that has an individual prescription  
19 label.

20 "Self-administration" means a pupil's discretionary use  
21 of his or her prescribed asthma medication.

22 (b) The school or school board must permit the  
23 self-administration of medication by a pupil with asthma,  
24 provided that:

25 (1) the parents or guardians of the pupil provide  
26 to the school or board written authorization for the  
27 self-administration of medication; and

28 (2) the parents or guardians of the pupil provide  
29 to the school or school board a written statement from  
30 the pupil's physician, physician assistant, or advanced  
31 practice registered nurse containing the following  
32 information:

33 (A) the name and purpose of the medication;

1           (B) the prescribed dosage; and

2           (C) the time or times at which or the special  
3           circumstances under which the medication is to be  
4           administered.

5           The information provided shall be kept on file in the office  
6           of the school nurse or, in the absence of a school nurse, the  
7           school's administrator.

8           (c) The school or school board must inform the parents  
9           or guardians of the pupil, in writing, that the school  
10           district and its employees and agents are to incur no  
11           liability as a result of any injury arising from the  
12           self-administration of medication by the pupil. The parents  
13           or guardians of the pupil must sign a statement acknowledging  
14           that the school district is to incur no liability as a result  
15           of any injury arising from the self-administration of  
16           medication by the pupil and that the parents or guardians  
17           must indemnify and hold harmless the district and its  
18           employees and agents against any claims arising out of the  
19           self-administration of medication by the pupil.

20           (d) The permission for self-administration of medication  
21           is effective for the school year for which it is granted and  
22           shall be renewed each subsequent school year upon fulfillment  
23           of the requirements of this Section.

24           (e) Provided that the requirements of this Section are  
25           fulfilled, a pupil with asthma may possess and use his or her  
26           medication (i) while in school, (ii) while at a  
27           school-sponsored activity, (iii) while under the supervision  
28           of school personnel, or (iv) before or after normal school  
29           activities, such as while in before-school and after-school  
30           care on school-operated property.

31           Section 99. Effective date. This Act takes effect upon  
32           becoming law."