

1 AMENDMENT TO SENATE BILL 979

2 AMENDMENT NO. _____. Amend Senate Bill 979 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by adding Section
5 22-30 as follows:

6 (105 ILCS 5/22-30 new)

7 Sec. 22-30. 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, whether public or nonpublic, must permit
22 the 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 written authorization for the
4 self-administration of medication; and

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

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

10 (B) the prescribed dosage; and

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

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

17 (c) The school district or nonpublic school must inform
18 the parents or guardians of the pupil, in writing, that the
19 school district or nonpublic school and its employees and
20 agents are to incur no liability as a result of any injury
21 arising from the self-administration of medication by the
22 pupil. The parents or guardians of the pupil must sign a
23 statement acknowledging that the school district or nonpublic
24 school is to incur no liability as a result of any injury
25 arising from the self-administration of medication by the
26 pupil and that the parents or guardians must indemnify and
27 hold harmless the school district or nonpublic school 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 Section 99. Effective date. This Act takes effect upon
8 becoming law.".