

SENATE BILL No. 51

By Senator Faust-Goudeau

1-25

1 AN ACT concerning school districts; relating to the dispensing of
2 medication.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) Any policy adopted by a school district regarding
6 the dispensing of medication to students enrolled in such school district
7 shall comply with the provisions of this section. Such policy shall
8 provide that a student may be given over-the-counter medication in the
9 recommended dosage provided that the school has obtained written
10 consent from the parent or legal guardian of the student authorizing the
11 dispensing of such medication to the student.

12 (b) Nothing in this section shall be construed to require a health care
13 provider's written authorization prior to dispensing over-the-counter
14 medication in accordance with subsection (a).

15 (c) Nothing in this section shall be construed to require a school
16 nurse or other school employee to dispense over-the-counter medication
17 other than as recommended on the label of the package containing such
18 over-the-counter medication, or to dispense any prescription medication
19 without first obtaining written authorization from a health care provider.

20 (d) The board of education of any school district that has adopted a
21 policy subject to the provisions of this section, may adopt any additional
22 policies pursuant to subsection (e) of K.S.A. 72-8205, and amendments
23 thereto, which the board deems necessary to implement the requirements
24 of this section.

25 (e) As used in this section:

26 (1) "Health care provider" means:

27 (A) A physician licensed to practice medicine and surgery;

28 (B) an advanced registered nurse practitioner issued a certificate of
29 qualification pursuant to K.S.A. 65-1131, and amendments thereto, who
30 has authority to prescribe drugs as provided by K.S.A. 65-1130, and
31 amendments thereto;

32 (C) a physician assistant licensed pursuant to the physician assistant
33 licensure act who has authority to prescribe drugs pursuant to a written
34 protocol with a responsible physician under K.S.A. 65-28a08, and
35 amendments thereto; or

36 (D) a dentist licensed to practice dentistry.

1 (2) "Over-the-counter medication" means any drug available for
2 purchase without a prescription.

3 (3) "School" means any public or accredited nonpublic school.

4 Sec. 2. This act shall take effect and be in force from and after its
5 publication in the statute book.

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