

By: Senator(s) Huggins

To: Education

SENATE BILL NO. 2463

1 AN ACT TO PERMIT PUBLIC AND NONPUBLIC SCHOOL STUDENTS TO
2 SELF-ADMINISTER ASTHMA MEDICATIONS, IF CERTAIN REQUIREMENTS ARE
3 MET; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** (1) The school board of each local public school
6 district and the governing body of each private and parochial
7 school or school district shall permit the self-administration of
8 medications by a student if the student's parent or guardian:

9 (a) Provides written authorization for
10 self-administration to the school; and

11 (b) Provides a written statement from the student's
12 health care practitioner that the student has asthma and has been
13 instructed in self-administration of asthma medications. The
14 statement shall also contain the following information:

15 (i) The name and purpose of the medications;

16 (ii) The prescribed dosage;

17 (iii) The time or times the medications are to be
18 regularly administered and under what additional special
19 circumstances the medications are to be administered; and

20 (iv) The length of time for which the medications
21 are prescribed.

22 (2) The statements required in subsection (1) of this
23 section shall be kept on file in the office of the school nurse or
24 school administrator.

25 (3) The school district or the governing body of each
26 private and parochial school or school district shall inform the
27 parent or guardian of the student that the school and its



28 employees and agents shall incur no liability as a result of any
29 injury sustained by the student from the self-administration of
30 asthma medications. The parent or guardian of the student shall
31 sign a statement acknowledging that the school shall incur no
32 liability and the parent or guardian shall indemnify and hold
33 harmless the school and its employees against any claims relating
34 to the self-administration of asthma medications. Nothing in this
35 subsection shall be construed to relieve liability of the school
36 or its employees for negligence.

37 (4) The permission for self-administration of medications
38 shall be effective for the school year in which it is granted and
39 shall be renewed each following school year upon fulfilling the
40 requirements of subsections (1) through (3) of this section.

41 (5) Upon fulfilling the requirements of this section, a
42 student with asthma may possess and use asthma medications when at
43 school, at a school-sponsored activity, under the supervision of
44 school personnel or before and after normal school activities
45 while on school properties including school-sponsored child care
46 or after-school programs.

47 **SECTION 2.** This act shall take effect and be in force from
48 and after July 1, 2003.

