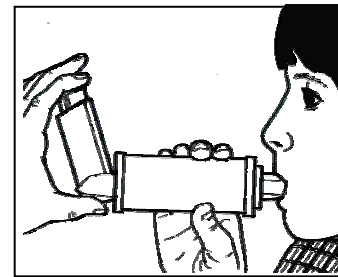


Overview for California Schools

Asthma Medication Law

Effective January 1, 2005

A full copy of the law can be found in the California Education Code 49423-1



Overview of the law

In January 2005 a new California law went into effect allowing students with asthma to carry and self-administer their prescribed asthma medication. This legislation amended the California Education Code so that students with asthma would have immediate access to their potentially life-saving medications.

Previously, schools and school districts decided independently whether or not to allow students to carry and self-administer asthma medication. Schools will now benefit from knowing that many students with asthma have their medication right when they need it.

Requirements

Students who need to take asthma medication prescribed by a physician during the school day may carry and self-administer inhaled asthma medication if two requirements are met.

Requirement #1: The school district must receive a written statement *from the physician* with the following information *:



- The name of the medication;
- How it is to be used;
- Dosage;
- Confirmation that the student is able to self-administer the medication.

Requirement #2: The school district must receive a written statement *from parent/foster parent/guardian* with the following information *:



- Consent allowing the student to self-administer his/her asthma medication;
- Release allowing the school nurse or other designated school personnel to consult with the student's physician if questions or concerns arise;
- Release absolving the school district and school personnel from civil liability if the self-administering student suffers an adverse reaction.

* Written authorization from the student's physician and parent/guardian must be updated **annually** or whenever the medication or procedure for taking it changes.

Tips for Schools

Some students will not be ready to carry and administer their own medication. Schools need to have policies in place allowing students immediate access to asthma medications stored at school. Staff should be trained to use protocols for asthma emergencies and know how to administer medication. Additionally, students self-carrying asthma medication may want to store a back up supply at school in the event that they forget to bring theirs.

Deciding if a student should carry and self-administer medication

The decision to allow a student to carry and self-administer asthma medication should be made on a case by case basis by the student's physician, parent/guardian, and when available, a school nurse. These are the factors that should be considered.

Student factors:

- Does the student want to carry and administer his/her own medication?
- What is his/her age, maturity, and developmental level?
- Is the student able to identify his/her asthma symptoms?
- Does he/she know the correct technique in administering medication?
- Is the student willing to comply with school's rules about use of medicine in schools (not sharing, notifying an adult when they need help)?
- Is he/she responsible for self-carrying and administering medication in other settings (after school, friends' homes)?

Parent/guardian factors:

- Do they want the student to self-carry and self-administer medication at school?
- Are they aware of school medication policies and parental responsibilities?
- Are they committed to making sure the student has the needed medication with them, refilling the medication when needed and monitoring medication use at school with the school team?

Additional resources for schools

California Department of Health Services:
Asthma Action Plan for Schools and Families
www.CAasthma.org

American Lung Association of California:
News release and a sample letter for schools as part of their outreach to parents about the new law
<http://californialung.org/press/041229Asthma.html>

This fact sheet was produced by California Breathing, a program of the California Department of Health Services, Environmental Health Investigations Branch and the Centers for Disease Control and Prevention. For questions about asthma and California schools, contact Deanna Rossi, drossi@dhs.ca.gov. Website: www.californiabreathing.org

