

280.16 Self-administration of asthma or other airway constricting disease medication or epinephrine auto-injectors.

1. *Definitions.* For purposes of [this section](#):

a. “*Epinephrine auto-injector*” means a device for immediate self-administration or administration by another trained individual of a measured dose of epinephrine to a person at risk of anaphylaxis.

b. “*Licensed health care professional*” means a person licensed under [chapter 148](#) to practice medicine and surgery or osteopathic medicine and surgery, an advanced registered nurse practitioner licensed under [chapter 152](#) or [152E](#) and registered with the board of nursing, or a physician assistant licensed to practice under the supervision of a physician as authorized in [chapters 147](#) and [148C](#).

c. “*Medication*” means a drug that meets the definition provided in [section 126.2, subsection 8](#), has an individual prescription label, is prescribed by a licensed health care professional for a student, and pertains to the student’s asthma or other airway constricting disease or risk of anaphylaxis.

d. “*Self-administration*” means a student’s discretionary use of medication prescribed by a licensed health care professional for the student.

2. The board of directors of a school district and the authorities in charge of an accredited nonpublic school shall permit the self-administration of medication by a student with asthma or other airway constricting disease or the use of an epinephrine auto-injector by a student with a risk of anaphylaxis if the following conditions are met:

a. The student’s parent or guardian provides to the school written authorization for the self-administration of medication or for the use of an epinephrine auto-injector.

b. The student’s parent or guardian provides to the school a written statement from the student’s licensed health care professional containing the following information:

(1) The name and purpose of the medication or epinephrine auto-injector.

(2) The prescribed dosage.

(3) The times at which or the special circumstances under which the medication or epinephrine auto-injector is to be administered.

c. The parent or guardian and the school meet the requirements of [subsection 3](#).

3. The school district or accredited nonpublic school shall notify the parent or guardian of the student, in writing, that the school district or accredited nonpublic school and its employees are to incur no liability, except for gross negligence, as a result of any injury arising from self-administration of medication or use of an epinephrine auto-injector by the student. The parent or guardian of the student shall sign a statement acknowledging that the school district or nonpublic school is to incur no liability, except for gross negligence, as a result of self-administration of medication or use of an epinephrine auto-injector by the student. A school district or accredited nonpublic school and its employees acting reasonably and in good faith shall incur no liability for any improper use of medication or an epinephrine auto-injector as defined in [this section](#) or for supervising, monitoring, or interfering with a student’s self-administration of medication or use of an epinephrine auto-injector as defined in [this section](#).

4. The permission for self-administration of medication or use of an epinephrine auto-injector is effective for the school year for which it is granted and shall be renewed each subsequent school year upon fulfillment of the requirements of [this section](#). However, the parent or guardian shall immediately notify the school of any changes in the conditions listed under [subsection 2](#).

5. Provided that the requirements of [this section](#) are fulfilled, a student with asthma or other airway constricting disease may possess and use the student’s medication and a student with a written statement from a licensed health care professional on file pursuant to [subsection 2](#), paragraph “a”, may use an epinephrine auto-injector while in school, at school-sponsored activities, under the supervision of school personnel, and before or after normal school activities, such as while in before-school or after-school care on school-operated property. If the student misuses this privilege, the privilege may be withdrawn. A school district or nonpublic school shall notify a student’s parent or guardian before withdrawing the privilege to use an epinephrine auto-injector.

6. Information provided to the school under [subsection 2](#) shall be kept on file in the office of the school nurse or, in the absence of a school nurse, the school's administrator.

7. The Iowa braille and sight saving school, the state school for the deaf, and the institutions under the control of the department of human services as provided in [section 218.1](#) are exempt from the provisions of [this section](#).

[2004 Acts, ch 1059, §1](#); [2008 Acts, ch 1088, §117](#); [2015 Acts, ch 29, §114](#); [2015 Acts, ch 68, §2](#)

Referred to in [§135.185, §280.16A](#)

See Code editor's note on simple harmonization

Section amended