

280.16 Self-administration of respiratory distress, asthma, or other airway constricting disease medication, epinephrine auto-injectors, bronchodilator canisters, or bronchodilator canisters and spacers.

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

a. “*Bronchodilator*” means a bronchodilator as recommended by the department of health and human services for treatment of a student’s respiratory distress, asthma, or other airway constricting disease.

b. “*Bronchodilator canister*” means a portable drug delivery device packaged with multiple premeasured doses of a bronchodilator.

c. “*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.

d. “*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 under [chapter 148C](#).

e. “*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 respiratory distress, asthma, or other airway constricting disease, or risk of anaphylaxis, and includes but is not limited to a bronchodilator.

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

g. “*Spacer*” means a holding chamber that is used to optimize the delivery of a bronchodilator to a person’s lungs.

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 or the use of a bronchodilator canister or bronchodilator canister and spacer by a student with respiratory distress, 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, for the use of a bronchodilator canister or a bronchodilator canister and spacer, 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, bronchodilator canister, bronchodilator canister and spacer, or epinephrine auto-injector.

(2) The prescribed dosage.

(3) The times at which or the special circumstances under which the medication, bronchodilator canister, bronchodilator canister and spacer, 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, use of a bronchodilator canister or a bronchodilator canister and spacer, 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, use of a bronchodilator canister or a bronchodilator canister and spacer, 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, a bronchodilator canister, a bronchodilator canister and spacer, or an epinephrine auto-injector as defined in [this section](#) or for supervising, monitoring, or interfering with a student’s self-administration of

medication, use of a bronchodilator canister or a bronchodilator canister and spacer, or use of an epinephrine auto-injector as defined in [this section](#).

4. The permission for self-administration of medication, for the use of a bronchodilator canister or a bronchodilator canister and spacer, or for the 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 respiratory distress, 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 a bronchodilator canister, a bronchodilator canister and spacer, or 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 a bronchodilator canister, a bronchodilator canister and spacer, or 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 school for the deaf and the institutions under the control of the department of health and 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; 2020 Acts, ch 1102, §20; 2022 Acts, ch 1126, §1; 2023 Acts, ch 19, §1038, 1039, 2506; 2023 Acts, ch 73, §21](#)

Referred to in [§135.185, 135.190, 147A.1, 280.16A](#)

See Code editor's note on simple harmonization at the beginning of this Code volume

Subsection 1, paragraphs a and d amended

Subsection 7 amended