

SENATE, No. 590

STATE OF NEW JERSEY

INTRODUCED JANUARY 29, 1996

By Senator BENNETT

1 AN ACT concerning the self-administration of medicine by certain
2 pupils and amending P.L.1993, c.308.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. Section 1 of P.L.1993, c.308 (C.18A:40-12.3) is amended to
8 read as follows:

9 1. A board of education or the governing board or chief school
10 administrator of a nonpublic school may permit the self-administration
11 of medication by a pupil for asthma or other potentially
12 life-threatening illnesses provided that:

13 a. the parents or guardians of the pupil provide to the board of
14 education or the governing board or chief school administrator of a
15 nonpublic school written authorization for the self-administration of
16 medication;

17 b. the parents or guardians of the pupil provide to the board of
18 education or the governing board or chief school administrator of a
19 nonpublic school written certification from the physician of the pupil
20 that the pupil has asthma or another potentially life-threatening illness
21 and is capable of, and has been instructed in, the proper method of
22 self-administration of medication;

23 c. the board of education or the governing board or chief school
24 administrator of a nonpublic school informs the parents or guardians
25 of the pupil in writing that the district and its employees or agents or
26 the nonpublic school and its employees or agents shall incur no liability
27 as a result of any injury arising from the self-administration of
28 medication by the pupil;

29 d. the parents or guardians of the pupil sign a statement
30 acknowledging that the district or the nonpublic school shall incur no
31 liability as a result of any injury arising from the self-administration of
32 medication by the pupil and that the parents or guardians shall
33 indemnify and hold harmless the district and its employees or agents
34 or the nonpublic school and its employees or agents against any claims

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 arising out of the self-administration of medication by the pupil; and
2 e. the permission is effective for the school year for which it is
3 granted and is renewed for each subsequent school year upon
4 fulfillment of the requirements in subsections a. through d. of this
5 section.

6 (cf: P.L.1993,c.308,s.1)

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8 2. This act shall take effect immediately.

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STATEMENT

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13 This bill provides that a governing board or chief school
14 administrator of a nonpublic school may permit the self-administration
15 of medication by a pupil for asthma or other potentially
16 life-threatening illnesses under certain conditions. The conditions
17 include provisions that the parents or guardians file their written
18 authorization and submit written certification from the pupil's
19 physician confirming the illness and the capability of the pupil for
20 self-administration; the nonpublic school informs the parents or
21 guardians that it shall incur no liability arising from the
22 self-medication; and the parents or guardians sign a statement that the
23 school shall incur no liability as a result of the self-medication.

24 Permission for the administration of medication would be effective
25 for the school year for which it was granted and must be renewed for
26 each subsequent school year.

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32 Allows nonpublic school pupils to administer medication to themselves
in certain cases.