

## **IC 20-34-4.5 Chapter 4.5. Emergency Medication**

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### **IC 20-34-4.5-0.2 "Emergency medication"**

Sec. 0.2. As used in this chapter, "emergency medication" means any of the following:

- (1) Albuterol.
- (2) Epinephrine.
- (3) Naloxone, as an overdose intervention drug that is subject to [IC 16-42-27](#).

*As added by P.L.117-2017, SEC.3.*

### **IC 20-34-4.5-0.4 "Emergency stock medication"**

Sec. 0.4. As used in this chapter, "emergency stock medication" means emergency medication to which both of the following apply:

- (1) The prescription for the emergency medication is filled by a school or school corporation.
- (2) The emergency medication is stored at a school in accordance with this chapter.

*As added by P.L.117-2017, SEC.4.*

### **IC 20-34-4.5-0.6 "School"**

Sec. 0.6. As used in this chapter, "school" means a:

- (1) public school;
- (2) charter school; or
- (3) state accredited nonpublic school.

*As added by P.L.117-2017, SEC.5. Amended by P.L.92-2020, SEC.84.*

### **IC 20-34-4.5-0.8 "School nurse"**

Sec. 0.8. As used in this chapter, "school nurse" has the meaning set forth in [IC 20-34-5-9](#).

*As added by P.L.117-2017, SEC.6.*

### **IC 20-34-4.5-1 Prescription for emergency medication; storage**

Sec. 1. (a) A school or a school corporation may:

- (1) fill a prescription for an emergency medication; and
- (2) store the emergency medication:
  - (A) if the prescription is filled by a school, in the school; or
  - (B) if the prescription is filled by a school corporation, in a school in the school corporation;

if a health care provider who is licensed in Indiana and whose scope of practice includes the prescribing of medication writes the prescription for the emergency medication for the school or school corporation.

(b) The school shall store the emergency medication in a safe location in which only school employees have access.

*As added by P.L.92-2014, SEC.1. Amended by P.L.117-2017, SEC.7.*

### **IC 20-34-4.5-1.5 Expiration date for injectable epinephrine**

Sec. 1.5. Injectable epinephrine that is filled and used in accordance with this chapter must have an expiration date of not less than twelve (12) months from the date that the pharmacy dispenses the injectable epinephrine to the school or school corporation.

*As added by P.L.117-2017, SEC.8.*

### **IC 20-34-4.5-2 Administration of emergency medication; school employees, training**

Sec. 2. (a) A school nurse may administer emergency stock medication obtained under section 1 of this chapter to any of the following individuals if the individual is demonstrating signs or symptoms of a life-threatening emergency and the individual does not have emergency medication at the school or the individual's prescription is not available:

- (1) Students at the school.
- (2) School employees.
- (3) Visitors at the school.

(b) School employees may administer emergency stock medication obtained under section 1 of this chapter if the following are met:

(1) The school employee has voluntarily received training in:

- (A) recognizing a life-threatening emergency; and
- (B) the proper administration of emergency medication;

by a health care provider who is licensed or certified in Indiana, for whom the administration of emergency medication is within the health care provider's scope of practice, who has received training in the administration of emergency medication, and who is knowledgeable in recognizing the symptoms of a life-threatening emergency and the administration of emergency medication.

(2) The individual to whom the emergency stock medication is being administered is:

- (A) a student at the school;
- (B) a school employee; or
- (C) a visitor at the school.

*As added by P.L.92-2014, SEC.1. Amended by P.L.117-2017, SEC.9.*

#### **IC 20-34-4.5-3 Prescribing emergency medication; dispensing**

Sec. 3. (a) A health care provider who is licensed in Indiana and whose scope of practice includes the prescribing of medication may:

- (1) write; or
- (2) transmit in an electronic format for an electronically transmitted prescription;

a prescription, drug order, or protocol for an emergency medication for a school or school corporation.

(b) A pharmacist licensed under [IC 25-26](#) may dispense a valid prescription, drug order, or protocol for an emergency medication issued in the name of a school or school corporation.

*As added by P.L.92-2014, SEC.1. Amended by P.L.117-2017, SEC.10; P.L.28-2019, SEC.5.*

#### **IC 20-34-4.5-4 Civil immunity; school employees; health care providers**

Sec. 4. (a) A school nurse or school employee who administers an emergency stock medication in accordance with the manufacturer's guidelines and with this chapter is not liable for civil damages resulting from the administration of the emergency stock medication under this chapter unless the act or omission constitutes gross negligence or willful or wanton misconduct.

(b) A health care provider described in section 3 of this chapter who:

- (1) writes; or
- (2) transmits in an electronic format for an electronically transmitted prescription;

a prescription, drug order, or protocol under this chapter is not liable for civil damages resulting from the administration of an emergency stock medication under this chapter.

(c) A health care provider described in section 2(b)(1) of this chapter who provides training to school employees under this chapter is not liable for civil damages resulting from the administration of an emergency stock medication.

*As added by P.L.92-2014, SEC.1. Amended by P.L.117-2017, SEC.11; P.L.28-2019, SEC.6.*

#### **IC 20-34-4.5-5 Guidance materials by the department**

Sec. 5. The department shall:

- (1) develop guidance materials concerning each emergency medication; and
- (2) post a copy of the guidance materials on the department's Internet web site.

*As added by P.L.117-2017, SEC.12.*

#### **IC 20-34-4.5-6 Report on the administration of emergency stock medication**

Sec. 6. A school employee described in section 2(b)(1) of this chapter or a school nurse shall:

- (1) make a report when an emergency stock medication is administered; and

(2) submit the report to the department in an electronic format not later than ten (10) school days after the emergency stock medication is administered.

*As added by P.L.117-2017, SEC.13.*