



Ninety-Ninth Legislature - Second Session - 2006  
**Introducer's Statement of Intent**  
**LB 1148**

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**Chairperson:** Jim Jensen  
**Committee:** Health and Human Services  
**Date of Hearing:** February 15, 2006

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 1148 would allow a student to possess and self-administer prescription asthma and anaphylaxis medication while on school property or at a school-related event or activity if:

1. The prescription asthma or anaphylaxis medication has been prescribed for the student as indicated by the prescription label;
2. Self-administration is done in compliance with the prescription or written instructions from the student's physician or other licensed health care provider; and
3. A parent of the student provides to the school:
  - a. Written authorization signed by the parent, the student, and a representative of the school
  - b. A written statement, signed by the parent, in which the parent releases the school and its employees and agents from liability for the injury arising from the student's self-administration of prescription asthma or anaphylaxis medication while on school property or at a school-related event or activity except in cases of willful or wonton misconduct on the part of an employee or agent of the school; and
  - c. A written statement from the student's physician or other licensed health care provider, signed by the physician or such other provider, which includes the asthma action plan.
4. If a student uses his or her prescription asthma or anaphylaxis medication other than as prescribed, he or she may be subject to disciplinary action by the school but such disciplinary action shall not limit or restrict the student's immediate access to the medication.
5. Immediately after self-administering prescription asthma or anaphylaxis medication during school hours on school property or at a school related event or activity, the student shall report to the school nurse, to the nurse's designee, or to another designated adult at the school or activity to enable appropriate follow-up care, including calling 911 emergency services.

LB 1148 would also allow for a backup supply of prescription asthma or anaphylaxis medication to be kept in the school's health office or another unlocked location readily available to the student.

The authorization from the parents, student and physician would terminate at the end of the school year. New authorization would have to be done at the beginning of the school year, and if the student were to transfer to another school.

LB 1148 would not require any student to possess or self-administer prescription asthma or anaphylaxis medication.

LB 1148 would allow for any school nurse, school nurse's designee or other designated adult would be immune from civil liability for any act or omission in any situation described in section 1 to 6 of this act, which results in damage or injury unless such damage or injury was caused by the willful or wonton act or omission of such school nurse, school nurse's designee or other designated adult.

**Principal Introducer:**

\_\_\_\_\_ **Senator Abbie Cornett**