



Ohio Revised Code

Section 3313.7115 Procurement of glucagon, qualified immunity - school districts.

Effective: October 3, 2023

Legislation: House Bill 33

(A) As used in this section, "licensed health professional authorized to prescribe drugs" and "prescriber" have the same meanings as in section 4729.01 of the Revised Code.

(B) The board of education of each city, local, exempted village, or joint vocational school district may procure injectable or nasally administered glucagon for each school operated by the district to have on the school premises for use in emergency situations identified under division (D)(5) of this section by doing one of the following:

(1) Having a licensed health professional authorized to prescribe drugs, acting in accordance with section 4723.4811, 4730.437, or 4731.92 of the Revised Code, personally furnish the injectable or nasally administered glucagon to the school or school district or issue a prescription for the drug in the name of the school or district;

(2) Having the district's superintendent obtain a prescriber-issued protocol that includes definitive orders for injectable or nasally administered glucagon and the dosages to be administered.

A district board that elects to procure injectable or nasally administered glucagon under this section is encouraged to maintain, at all times, at least two doses of the drug at each school operated by the district.

(C) A district board that elects to procure injectable or nasally administered glucagon under this section shall require the district's superintendent to adopt a policy governing maintenance and use of the drug. Before adopting the policy, the superintendent shall consult with a licensed health professional authorized to prescribe drugs.

(D) The policy adopted under division (C) of this section shall do all of the following:



- (1) Identify the one or more locations in each school operated by the district in which injectable or nasally administered glucagon must be stored;
 - (2) Specify the conditions under which injectable or nasally administered glucagon must be stored, replaced, and disposed;
 - (3) Specify the individuals employed by or under contract with the district board, in addition to a school nurse licensed under section 3319.221 of the Revised Code or an athletic trainer licensed under Chapter 4755. of the Revised Code, who may access and use injectable or nasally administered glucagon in an emergency situation identified under division (D)(5) of this section;
 - (4) Specify any training that employees or contractors specified under division (D)(3) of this section, other than a school nurse or athletic trainer, must complete before being authorized to access and use injectable or nasally administered glucagon;
 - (5) Identify the emergency situations in which a school nurse, athletic trainer, or other employees or contractors specified under division (D)(3) of this section may access and use injectable or nasally administered glucagon;
 - (6) Specify that assistance from an emergency medical service provider must be requested immediately after a dose of glucagon is administered;
 - (7) Specify the individuals, if any, in addition to students, to whom a dose of glucagon may be administered in an emergency situation specified under division (D)(5) of this section.
- (E)(1) The following are not liable in damages in a civil action for injury, death, or loss to person or property that allegedly arises from an act or omission associated with procuring, maintaining, accessing, or using injectable or nasally administered glucagon under this section, unless the act or omission constitutes willful or wanton misconduct:
- (a) A school or school district;
 - (b) A member of a district board of education;



(c) A district or school employee or contractor;

(d) A licensed health professional authorized to prescribe drugs who personally furnishes or prescribes injectable or nasally administered glucagon, consults with a superintendent, or issues a protocol pursuant to this section.

(2) This section does not eliminate, limit, or reduce any other immunity or defense that a school or school district, member of a district board of education, district or school employee or contractor, or licensed health professional may be entitled to under Chapter 2744. or any other provision of the Revised Code or under the common law of this state.

(F) A school district board of education may accept donations of injectable or nasally administered glucagon from a wholesale distributor of dangerous drugs or manufacturer of dangerous drugs, as defined in section 4729.01 of the Revised Code, and may accept donations of money from any person to purchase the drug.

(G) A district board that elects to procure injectable or nasally administered glucagon under this section shall report to the department of education and workforce each procurement and each occurrence in which a dose of the drug is used from a school's supply.