

SENATE BILL 2177

By Hensley

AN ACT to amend Tennessee Code Annotated, Title 4; Title 8; Title 49; Title 53; Title 56; Title 63; Title 68 and Title 71, relative to medication in schools.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-50-1604, is amended by deleting subdivisions (c)(3)-(6) and substituting:

(3) Each school within an LEA and each public charter school operating pursuant to chapter 13 of this title, in which any combination of grades nine through twelve (9-12) are taught, shall maintain an opioid antagonist at the school in at least one (1) unlocked, secure location so that an opioid antagonist may be administered to a student believed to be having a drug overdose.

(4) Notwithstanding title 63 to the contrary, a physician may prescribe an opioid antagonist to be maintained for use in schools when necessary in the name of an LEA or other school authorized or required by this section to maintain an opioid antagonist. An LEA also may utilize a statewide collaborative pharmacy practice agreement pursuant to § 63-1-157 to obtain an opioid antagonist for administration.

(5) The school nurse, school resource officer, or other trained school personnel may utilize the supply of opioid antagonists to respond to a drug overdose, under a standing protocol from a physician licensed to practice medicine in all its branches.

(6) If a student is injured or harmed due to the administration of an opioid antagonist that a physician has prescribed under this subsection (c), the physician is not liable for the injury unless the physician issued the prescription or standing protocol with intentional disregard for safety.

(7) If a student is injured or harmed due to the administration of an opioid antagonist to the student by a school nurse, school resource officer, or other trained school personnel pursuant to this subsection (c), the school nurse, school resource officer, or school employee is not liable for the injury unless the school nurse, school resource officer, or school employee administered the opioid antagonist with an intentional disregard for the student's safety.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.