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MAKING AN OPIOID ANTAGONIST DRUG AND TRAINED PERSONNEL AVAILABLE AT SCHOOL

The U.S. Centers for Disease Control and Prevention said fentanyl was the leading cause of the record number of drug poisonings and overdose deaths in the country last year. The epidemic has infiltrated schools, affecting students and staff. As a result, school districts across the nation are scrambling to get ahead of the epidemic and prevent more deaths. In California, districts may elect to make emergency naloxone hydrochloride or another opioid antagonist drug available at their schools.¹ Opioid antagonist drug means any drug that negates or neutralizes the effects of an opioid and has been approved for the treatment of an opioid overdose.² One such drug is Narcan. Each district can determine whether to make an opioid antagonist drug available at its school sites. In making that determination, the district must evaluate the time it would take for emergency medical services to arrive at the school, and whether it would be acceptable to initiate emergency medical treatment until an ambulance or police officer arrives, as an alternative to providing a drug such as Narcan and having trained staff available to administer it.³

Who Can Administer Narcan

Once a district decides to have an opioid antagonist drug available on campus, it will need to decide who will be authorized to administer the drug when someone is suffering or reasonably believed to be suffering from an opioid overdose. Onsite school nurses and trained volunteers may administer Narcan. Volunteers can only administer an opioid antagonist drug by nasal spray or auto-injector, with or without a school nurse onsite.⁴

Board Policy

Board Policy (BP) and Administrative Regulation (AR) 5141.21 specifically address the administration of medication, including opioid antagonist drugs and monitoring of health conditions, including opioid drug poisonings and overdoses. Many districts have adopted BP and

¹ Ed Code section 49414.3(a)

² Ed Code section 49414.3(b)(3)

³ Ed Code section 49414.3(c)

⁴ Ed Code section 49414.3(h)

AR 5141.21, but they have not updated them recently enough to have the version that includes opioid antagonist drugs. Board policy should be reviewed and updated or adopted by the district's governing board.

Notifications

At least once a year, the superintendent must send notice to all staff requesting volunteers and describing the training they will receive. Additionally, the notice will contain a statement informing staff that no benefit will be granted to or withheld from any individual based on their offer to volunteer, and that a volunteer may rescind his or her offer to volunteer. There will be no retaliation for rescinding an offer to volunteer, even after receiving the training.⁵

Training

Volunteers must receive initial and annual refresher training regarding the storage and emergency use of an opioid antagonist drug from the school nurse or other qualified person.⁶ The superintendent must establish minimum training consistent with the most recent guidelines for administering opioid antagonist drugs, which he or she will review at least every five years by consulting with organizations and providers with expertise in this area.⁷ The training must include the following techniques for recognizing symptoms of an opioid overdose:

- standards and procedures for the storage
- restocking and emergency use of an opioid antagonist drugs
- basic emergency follow-up procedures
- recommendations to obtain certification in CPR

There must also be written materials covering the information provided in training which the school must retain for reference. The district must include on its website a clearinghouse for best practices in training nonmedical personnel to administer opioid antagonist drugs to students.⁸ The training must be at no cost to the volunteer and conducted during the volunteer's regular working hours.⁹

Legal Protection for Volunteers

Volunteers will be provided defense and indemnification by the district. This should be provided in writing to the volunteer, and retained in the volunteer's personnel file.¹⁰ Additionally, a properly trained volunteer who administers an opioid antagonist drug in good faith must not be

⁵ Ed Code section 49414.3(f)

⁶ Ed Code section 49414.3(f)

⁷ Ed Code section 49414.3(e)(1)

⁸ Ed Code section 49414.3(e)(2)-(5)

⁹ Ed Code section 49414.3(d)(1)

¹⁰ Ed Code section 49414.3(i)

subject to professional review, be liable in a civil action or subject to criminal prosecution, except in cases of gross negligence or willful and wanton misconduct by the volunteer.¹¹

Procuring and Restocking

The Education Code requires a district's school nurse, or school administrator if there is no school nurse, to obtain from an authorizing physician a prescription for each school for an opioid antagonist drug. However, the California Department of Public Health (CDPH) has issued a statewide standing order for Naloxone, which includes schools.¹² Once a school applies for and receives a standing order from CDPH, a prescription for Naloxone is not required.

When an opioid antagonist drug is used, it must be restocked as soon as reasonably possible, but no later than two weeks. All opioid antagonist drugs must be restocked before the expiration date.¹³ The district's school nurse, or school administrator if there is no school nurse, is responsible for stocking and restocking the opioid antagonist drug.

Donations to Support Use of Antagonist Drugs

A school district can accept gifts, grants, and donations from any source to support carrying out the provisions of Education Code section 49414.3, including acceptance of opioid antagonist drugs from a manufacturer or wholesaler.¹⁴

Should you have any questions about the foregoing information, please contact our office.

- Kristina Funderburk

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¹¹ Ed Code section 49414.3(j)

¹² https://www.cdph.ca.gov/Programs/CCDCPHP/sapb/CDPH%20Document%20Library/NSO_FAQ_Sept%202022_ADA.pdf

¹³ Ed Code section 49414.3(h)(1)

¹⁴ Ed Code section 49414.3(k)