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February 12, 2025

Robert Goldstein, MD, PhD Commissioner

Massachusetts Department of Public Health 250 Washington Street

Boston, MA 02108 – 4619

Re: 105 CMR 210: The Administration of Prescription Medications in Public and Private Schools

Dear Commissioner Goldstein:

I am writing on behalf of the members of the Massachusetts Chapter of the American Academy of Pediatrics (MCAAP) to offer our strong support for the proposed regulations at 105 CMR 210.00 relative to The Administration of Medications in Public and Non-Public Schools.

The MCAAP represents more than 1,600 primary care pediatricians, pediatric medical subspecialists and pediatric surgery specialists. Our members are dedicated to improving the quality of life for children by providing quality health care while advocating on behalf of our patients, their families and caregivers.

These proposed regulations contain significant changes that will ensure that routine and emergency medications needed by students can be safely administered and stored on school property. Those emergency medications will include, among others, Glucagon to treat diabetes and Solu-CORTEF to treat adrenal crises. The regulations will also increase the category of authorized trained school personnel who can administer those medications to students, thereby improving the health and safety of the Commonwealth’s school children. The coverage under these regulations would be expanded to school field trips and for other after-hour special school events. Students will also be allowed to self-administer certain medications.

Further protections will be put in place to require a student-specific medication order from a licensed prescriber to be issued before a medication can be administered by delegated school personnel. The school must also notify the local emergency medical system and the student’s parent or caregiver upon administration of a rescue medication.

Under the current regulations, only a school nurse is permitted to administer certain lifesaving medications. If the nurse is not available, the current alternative is to call the local emergency rescue personnel which can significantly delay the administration of these lifesaving medications. This could result in tragic consequences which these regulations will now help alleviate.

The American Academy of Pediatrics guidelines recommend the inclusion of clear language that will provide blanket liability for school districts and all authorized school staff who follow the standard safe medication practices as provided in these regulations. We believe that school districts may choose not to allow authorized unlicensed personnel to administer these medications without these liability protections. We therefore ask that the Department adopt the following language:-

*Except for an act of gross negligence or willful misconduct, any authorized school staff who, acting in good faith, dispenses routine or emergency medications to a student, shall not be subject to any criminal or civil liability or any professional disciplinary action related to the use or administration of routine and emergency medications.*

We urge the Department to adopt these important changes to the current regulation which will align Massachusetts with the other 45 states that allow for trained non-medical staff to administer these emergency medications in the school setting.

I have attached below for your information and review, the link to The American Academy of Pediatrics policy statement of the Safe Administration of Medication in School.

Thank you for your consideration of our views on this matter. I am available at your convenience to answer any questions you may have about our position on these issues. Thank you.

Sincerely,



Brenda Anders Pring, MD, FAAP

President, Massachusetts Chapter of the American Academy of Pediatrics

Attachment: **Safe Administration of Medication in School: Policy Statement | Pediatrics | American Academy of Pediatrics**