**Commonwealth of Massachusetts Executive Office of Health and Human Services**

**Public Hearing**

***Proposed Amendments to 105 CMR 210.000***

***The Administration of Prescription Medications in Public and Private Schools***

**Thursday, February 13, 2025 – 2 PM**

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To whom it may concern:

My name is Dr. Paul Jehle, and I am the founder of The New Testament Christian School in 1980. We offer grades K-12. My comments in relation to these proposed amendments are about the process of how the Department of Public Health would interact with our administration, nurses, teachers and students in relation to the individual parents and their physicians.

I am concerned that it does not appear clear how the HIPPA laws would be followed if our school were to have a licensed physician or nurse who might disagree on how to administer medications that a physician of the family has prescribed. If a family’s physician or the parent disagrees, what would these amendments require in such a case?

If non-prescription medications can be administered by teachers, staff, or students, what is the process by which these individuals must oversee these medications?

Does 210.04B mean a nurse must be in the building whenever medications are administered since it is states that *A school nurse shall be on duty while medications are being administered by designated unlicensed school personnel, and available virtually should consultation be required?*

We strongly agree that individual teachers or designated staff that are trained in our school should be able, with parental consent, to administer medications or emergency life-saving care without having a nurse or physician present. But what would be the procedure in the event of lifesaving emergency medication being needed and the nurse/designated personnel are not available if 105 CMR 700.003(C) does not apply in schools?

Must there be a school physician on our staff? What happens if the school physician/nurse is not in agreement with the child’s physician? Does this violate HIPPA laws?

What information will be required in the reports to the DPH?

It appears that the school must register with the DPH if medications are stored at school. The school nurse must register as the medication program manager with the DPH. The cost may be prohibitive if *“All schools/districts where medication is stored or where medication administration is delegated to unlicensed school personnel must obtain a Massachusetts Controlled Substances Registration by registering with the Department of Public Health. At minimum, schools/districts may accomplish this by registering for emergency medication training.”*

If the school must notify DPH each time emergency medication is used, this may delay the time it takes to administer these and might be distinct from what the family physician has recommended. Thank you for your consideration of these concerns.