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State of Minnesota HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH SESSION

HOUSE FILE No. 748

February 8, 2007

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The bill was read for the first time and referred to the Committee on E-12 Education

1.1 A bill for an act
1.2 relating to education; allowing physician-prescribed naturopathic medicine to
1.3 be administered with appropriate supervision in schools; amending Minnesota
1.4 Statutes 2006, section 121A.22, subdivisions 1, 3, 4.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2006, section 121A.22, subdivision 1, is amended to
1.7 read:

1.8 Subdivision 1. Applicability. (a) This section applies only:

1.9 (1) when the parent of a pupil requests school personnel to administer drugs or
1.10 medicine, including physician-prescribed naturopathic medicine, to the pupil; or

1.11 (2) when administration is allowed by the individual education plan of a child with a
1.12 disability.

1.13 The request of a parent may be oral or in writing. An oral request must be reduced
1.14 to writing within two school days, provided that the district may rely on an oral request
1.15 until a written request is received.

1.16 (b) "Physician-prescribed naturopathic medicine" under this section means
1.17 naturopathic medicine, as defined by the federal Food, Drug, and Cosmetic Act, that is
1.18 prescribed by a licensed physician or a licensed naturopathic physician.

1.19 EFFECTIVE DATE. This section is effective the day following final enactment.

1.20 Sec. 2. Minnesota Statutes 2006, section 121A.22, subdivision 3, is amended to read:

1.21 Subd. 3. Labeling. Drugs or medicine subject to this section, except
1.22 physician-prescribed naturopathic medicine, must be in a container with a label prepared
1.23 by a pharmacist according to section 151.212 and applicable rules.

2.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.2 Sec. 3. Minnesota Statutes 2006, section 121A.22, subdivision 4, is amended to read:

2.3 Subd. 4. **Administration.** (a) Drugs and medicine subject to this section, except
2.4 physician-prescribed naturopathic medicine, must be administered in a manner consistent
2.5 with instructions on the label. Physician-prescribed naturopathic medicine must be
2.6 administered according to the order of the prescribing physician.

2.7 (b) Drugs and medicine subject to this section must be administered, to the extent
2.8 possible, according to school board procedures that must be developed in consultation:

2.9 (1) with a school nurse, in a district that employs a school nurse;

2.10 (2) with a licensed school nurse, in a district that employs a licensed school nurse;

2.11 (3) with a public or private health or health-related organization, in a district that
2.12 contracts with a public or private health or health-related organization, according to
2.13 section 121A.21; or

2.14 (4) with the appropriate party, in a district that has an arrangement approved by the
2.15 commissioner of education, according to section 121A.21.

2.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.