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H.B. 70
135th General Assembly

Final Analysis

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Primary Sponsors: Reps. Fowler Arthur and Gross

Effective date: March 20, 2025

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SUMMARY

- Requires school districts and chartered nonpublic schools to adopt a policy regarding the administration of over-the-counter drugs to students.

DETAILED ANALYSIS

Over-the-counter drug policy requirement

The act requires each school district and chartered nonpublic school to adopt a policy regarding the administration of over-the-counter drugs to students. A district's or school's policy may include provisions establishing whether the district will authorize any employees to administer over-the-counter drugs to students and, if the district or school does authorize employees to do so, whether the permission of a parent or guardian will be required prior to administering the over-the-counter drug to a student.¹

Under the act, districts and chartered nonpublic schools may designate individuals to perform functions related to the school's prescription and over-the-counter drug policies, and may revise the policies. However, a district or school may not require an employee to administer a prescription or over-the-counter drug to a student if the employee objects based on religious convictions.²

The over-the-counter drug policy required under the act does not apply to care given in certain situations, including:

- Emergency care occurring at the scene of an emergency outside of a hospital, doctor's office, or other place having proper medical equipment;

¹ R.C. 3313.713(F).

² R.C. 3313.713(G) to (I).

2. Emergency care administered by a physician, dentist, or nurse volunteering at a school athletic event;
3. Emergency care provided in a school district pursuant to an emergency medical authorization submitted by a student's parent or guardian;
4. Emergency use of epinephrine autoinjectors in a school district pursuant to a school policy regarding their use;
5. Diabetes care provided in accordance with an order signed by a student's treating practitioner;
6. Emergency use of inhalers in a school district pursuant to a school policy regarding their use; and
7. Emergency use of injectable or nasally administered glucagon in a school district pursuant to a school policy regarding its use.³

HISTORY

Action	Date
Introduced	02-27-23
Reported, H. Primary & Secondary Education	12-06-23
Passed House (92-1)	04-24-24
Reported, S. Education	11-20-24
Passed Senate (30-1)	11-20-24

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³ R.C. 3313.713(F); see also R.C. 2305.23, 2305.231, 3313.712, 3313.7110, 3313.7112, 3313.7113, and 3313.7115, not in the act.