

By: Sparks, et al.
(Howard)

S.B. No. 920

A BILL TO BE ENTITLED

AN ACT

relating to the administration of nonprescription medications to certain public and private school students.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Section 22.052, Education Code, is amended to read as follows:

Sec. 22.052. ADMINISTRATION OF MEDICATION BY SCHOOL DISTRICT, OPEN-ENROLLMENT CHARTER SCHOOL, OR PRIVATE SCHOOL EMPLOYEES OR VOLUNTEER PROFESSIONALS; IMMUNITY FROM LIABILITY.

SECTION 2. Section 22.052, Education Code, is amended by amending Subsections (a) and (b) and adding Subsection (a-1) to read as follows:

(a) On the adoption of policies concerning the administration of medication to students by school district, open-enrollment charter school, or private school employees, the school district, open-enrollment charter school, or private school, its board of trustees~~[7]~~ or other governing body, as applicable, and its employees are immune from civil liability and administrative disciplinary action for ~~[from]~~ damages or injuries resulting from the administration of medication to a student if:

(1) the ~~[school]~~ district or school has received a written request to administer the medication from the parent, legal guardian, or other person having legal control of the student; and

(2) when administering prescription medication, the

medication is administered either:

(A) from a container that appears to be:

(i) the original container; and

(ii) properly labeled; or

(B) from a properly labeled unit dosage container filled by a registered nurse or another qualified district or school employee, as determined by the ~~[district]~~ policy adopted under this subsection, from a container described by Paragraph (A).

(a-1) A policy adopted under Subsection (a) may permit a school district, open-enrollment charter school, or private school employee, including a nurse, to administer nonprescription medication to a student without further authorization or written protocol from the student's health care provider if:

(1) the district or school has received a written request to administer the medication from the parent, legal guardian, or other person having legal control of the student;

(2) the medication is unexpired and administered from a container that appears to be:

(A) the original container; and

(B) properly labeled; and

(3) the dose administered is consistent with the instructions on the container's label.

(b) The board of trustees or other governing body, as applicable, may allow a licensed physician or registered nurse who provides volunteer services to the school district, open-enrollment charter school, or private school and for whom the district or school provides liability insurance to administer to a

1 student:

2 (1) nonprescription medication; or

3 (2) medication currently prescribed for the student by
4 the student's health care provider [~~personal physician~~].

5 SECTION 3. Section [301.151](#), Occupations Code, is amended to
6 read as follows:

7 Sec. 301.151. GENERAL RULEMAKING AUTHORITY. The board may
8 adopt and enforce rules consistent with this chapter and necessary
9 to:

10 (1) perform its duties and conduct proceedings before
11 the board;

12 (2) regulate the practice of professional nursing and
13 vocational nursing;

14 (3) establish standards of professional conduct for
15 license holders under this chapter; and

16 (4) except as provided by Section [22.052](#), Education
17 Code, determine whether an act constitutes the practice of
18 professional nursing or vocational nursing.

19 SECTION 4. This Act takes effect September 1, 2025.