

Vote NO on HB 1286 (Roberts/Aguilar), Concerning Allowing A School Nurse to Give Medical Marijuana to a Student

The Colorado Association of School Nurses (CASN) opposes HB 1286 because it conflicts with their license and is inoperable.

What Does HB 1286 Do?

- HB 1286 allows a school nurse or nurse's designee to administer medical marijuana to a student. It also requires a school nurse or designee to remove any remaining medical marijuana from school grounds.

How Does HB 1286 Conflict with a Nurse's License?

Nurses can lose their license if they dispense medical marijuana

- Marijuana is currently categorized as a Schedule I drug and illegal at the federal level. Registered Nurses are required to follow all federal laws with respect to the medications they administer. Violating these requirements would put Registered Nurses at risk of losing their licenses. This could leave the school nurse and district open to federal investigation, potentially impacting federal funding.
- HB 1286 allows for a non-nurse employee or volunteer trained by a nurse to dispense marijuana to a child. Personnel work under delegation of a nurse license; the nurse is legally liable and it still could put the school nurse in danger of losing her license.

Why is HB 1286 Inoperable for School Nurses?

Nurses may only delegate exact doses of medication

- Medical marijuana would be considered a homeopathic medication not regulated by the FDA; therefore, the pediatric doses are not exact. Nurses may only delegate exact doses, particularly for homeopathic medications. And, medical marijuana doses are often adjusted for the child symptoms.

Nurses must follow a prescriber's orders for medications and prescribers may not prescribe medical marijuana

- Registered nurses are only authorized to administer medication as part of a directive (order), from a provider with prescriptive authority, (M.D., D.O., N.P., P.A), and currently marijuana cannot be prescribed, only recommended. A nurse does not have prescriptive authority per the Colorado Nurse Practice Act; therefore, the nurse cannot administer or delegate the administration of a medication without a doctor's prescriptive order.

Colorado doesn't have enough school nurses

- School nurses have an average of 1,900 students per nurse in Colorado. In some school districts one nurse could have 5,000 students. This means the nurse trains, verifies competency and then delegates the administration of medications at school. The nurse may only directly supervise medication administration once a month or less.