

Administration of Over-The-Counter Medications and Treatments in School Settings

Austin, TX – [8/19/24] – The Texas Board of Nursing (BON) is dedicated to safeguarding the health and well-being of Texas residents by ensuring that all licensed nurses in the state practice safely and competently. This commitment is achieved through the regulation of nursing practice and the approval of nursing educational programs, as outlined by the Nursing Practice Act (NPA).

The NPA establishes clear boundaries for nursing practice, explicitly stating that it does not encompass medical diagnosis or the prescription of therapeutic or corrective measures. Consequently, administering over-the-counter medication without a valid order falls outside the scope of vocational and professional nursing practice. This regulation is consistent across all practice settings, including educational environments. The NPA is silent on the universal and standard use of safe over-the-counter medications when the parent or guardian appropriately authorizes the treatment option to be administered by a school nurse.

The BON recognizes the importance of parental authority and autonomy regarding their children's medical care. Texas's regulatory framework is designed to prioritize patient safety while respecting parental decisions. School nurses are an integral and indispensable part of the healthcare team who work in concert with parents and providers to ensure safe and effective delivery of healthcare to students. The BON's primary focus remains on ensuring that students receive safe and appropriate care in school settings.

The BON acknowledges that while some districts have standing delegation orders, others require the parent to secure orders from the student's provider for all medications, including over-the-counter options. Orders for medication can be specific to an individual patient or generalized through standing delegation orders for particular patient populations under certain conditions. In instances where standing delegation orders are utilized, nurses must assess whether such orders apply to a given patient's situation. The Board recognizes that requiring a parent to provide an order from a student's provider for seemingly innocuous over-the-counter medications can be burdensome.

In response to recent inquiries and feedback, the BON is reviewing and updating its guidance on over-the-counter medication administration in schools. The Board is consulting with the Texas School Nurses Organization and other relevant stakeholders to develop guidance that aligns with legal standards and practical considerations. Not all over-the-counter medicines and treatments are without risks, depending on the child's specific condition. This updated guidance will revise the previous recommendations issued in 2006. While this statutory framework is not new, the updated guidance will clarify the previous direction issued by the Board. Until then, the Board will heavily weigh good faith reliance on its previous guidance.

The BON values the role of school nurses and their dedication to patient care. Nurses are encouraged to continue their essential work in stabilizing patient conditions and preventing complications. Nurses are further encouraged to monitor the Board's communications for forthcoming updated guidance.

For any questions regarding medication administration, please contact the Texas Board of Nursing at webmaster@bon.texas.gov or call the Nursing Practice line at 512-305-6802.