



Medical Cannabis Infused Product Administration Training

Recorded September 16, 2020



Agenda

- Training purpose and outcomes
- Overview of medical cannabis laws in Illinois
- Developing a medical cannabis school policy
- Administration of medical cannabis infused products
- Patient qualifications
- Other significant areas of interest



Who is Required to Complete This Training?

School nurses* and school administrators must complete this training annually prior to administering medical cannabis infused products to students.

*For the purpose of this training A School Nurse is defined as one who hold a Professional Educator License (PEL) as a School Support Personnel School Nurse or any registered professional nurse (with or without PEL) who employed as a Nurse in their current district prior to July 1, 1976. [105 ILCS 5/10-22.23](#)



Questions?

- Questions regarding the information included in this webinar should be directed to: schoolnurse@isbe.net
- The recorded webinar and a FAQ will be posted at: <https://www.isbe.net/Pages/School-Health-Issues.aspx>



What is the Purpose of Today's Training?

- Illinois State Board of Education (ISBE), in consultation with the Illinois Department of Public Health (IDPH), required to develop a training curriculum on administration of medical cannabis infused product.
- This training meets requirements for School Nurses and School Administrators prior to administering or assisting with self-administration of medical cannabis infused product.
- ISBE will provide updated training on an annual basis.
- The school must maintain records related to the training curriculum and of the school nurses or school administrators who have completed the training.



Outcomes

As a result of your participation in this training, you will:

- Become more familiar with current Illinois medical cannabis laws,
- Know what is required for the administration of medical cannabis infused products to occur, and
- Know how to check the status of a student who has a qualifying condition and/or caregiver.
- Know how to supervise a student who will be self-administering, and
- Develop a medical cannabis school policy.



Overview of Medical Cannabis Laws in Illinois



History of Ashley's Law

- In 2018, [Illinois Public Act 100-0660](#), Ashley's Law, was enacted. The act was named for 12-year-old Ashley Surin of Schaumburg, who uses CBD oil to prevent seizures related to chemotherapy treatments for leukemia. The legislation allows children who are registered qualifying patients to have medical cannabis infused products, administered at school under the supervision of a parent, guardian, or caregiver.





History of Ashley's Law Continued:

August 1, 2018, [Illinois Public Act 100-0660](#)

- A designated caregiver shall be authorized to administer a medical cannabis infused product on the school premises or on the school bus to a registered qualifying student
- Must remove the product from the school premises or from the school bus after administration
- May not administer in a way that would disrupt the educational environment or would cause exposure to other students



Ashley's Law Expansion



- Public Act 101-0370 was signed by Governor J.B. Pritzker on August 12, 2019 and amended School Code.
- Became effective January 1, 2020, allowing students to self-administer medical cannabis infused products under supervision of or to allow a school nurse or administrator to administer medical cannabis infused products.
 - [PA 101-0370](#)
 - [105 ILCS 5/22-33](#)



Current Illinois Statutes-Medical Cannabis

- [Compassionate Use of Medical Cannabis Program Act](#) 410 ILCS 130/
- [Joint Committee of Administrative Rules](#) 77 I u 946
- [Medical Cannabis "Ashley's Law"](#) 105 ILCS 5/22-33





Oversight Bodies

- Illinois Department of Public Health (IDPH)-governing body for the patient registry program under the Medical Cannabis Program.
- Illinois Department of Financial Professional Regulation (IDFPR)-governing body for the licensing of dispensaries under the Medical Cannabis Program & for licensing of Registered Professional Nurses.
- Illinois State Board of Education (ISBE) governing body for the administration of medical cannabis infused product in a school setting. (105 ILCS 5/22-33)
- Illinois Department of Agriculture (IDOA) governing body for registering and regulating cultivation centers.



Developing a Medical Cannabis School Policy

[PA 101-0370](#), EFFECTIVE JANUARY 1, 2020, REQUIRES SCHOOLS TO ADOPT A LOCAL POLICY TO IMPLEMENT ASHLEY'S LAW



Policy

- A school district, public school, charter school, or nonpublic school shall adopt a medical cannabis policy, making sure to include information on:
 - Administration methods
 - Proof of annual training
 - Acceptable written authorizations
 - Before and after-school care
 - Bus transportation and school-sponsored activities
 - Providing supply of product
 - Storage, supply and accessibility
 - Student discipline



Policy Consideration

- A school district, public school, charter school, or nonpublic school may not authorize the use of a medical cannabis infused product if the school district or school would lose federal funding as a result of the authorization.
- Administration of medical cannabis infused products must not:
 - Create a disruption to the school's educational environment.
 - Cause exposure of the product to other students.



Administration of Medical Cannabis Infused Products

WHO, WHAT, WHEN, WHERE, HOW



Who Can Administer Medical Cannabis Infused Products in a School Setting?

- Although no school personnel may be forced to administer medical cannabis infused products, policies may not be crafted in such a way as to deny a student access to a medical cannabis prescription. Schools have three options for administration and must design their policies around one, two, or all three of these:
 - Designated caregiver
 - **Trained** school nurse or school administrator
 - Student, under the direct supervision of a **Trained** school nurse or administrator



Designated Caregiver

- A parent, guardian, or any other individual registered with the Illinois Department of Public Health as a designated caregiver of a student who is a registered qualifying patient
- After administering the product, the designated caregiver shall remove the product from the school premises or school bus
- May not administer in a manner that would:
 - Create a disruption to the school's educational environment;
 - Cause exposure of the product to other students.



Trained School Nurse or School Administrator

- A properly **trained** school nurse or administrator shall be allowed to administer the medical cannabis infused product to the student.
 - A school nurse or administrator must annually complete a training curriculum prior to administering a medical cannabis infused product to a student.
- Nothing requires a member of a school's staff to administer a medical cannabis infused product to a student
- School nurses: If you have questions about nursing licensure, duties, responsibilities, or obligations under the Nurse Practice Act, please contact the [Illinois Department of Financial and Professional Regulation](#)



School Nurse Qualifications

*School Nurse means any registered professional nurse who holds a professional educator license endorsed for school support services in school nursing, or any registered professional nurse who does not hold the professional educator license but was employed in the school district of current employment before July 1, 1976. [105 ILCS 5/10-22.23].

The designated nurse must also complete this ISBE REQUIRED training on an annual basis.



Student Self-administration

- A student, who is a registered qualifying patient, may self-administer (not self-carry) a medical cannabis infused product under the direct supervision of a **Trained** school nurse or school administrator.





What Medical Cannabis Infused Products can be Administered at School?

- Products must be
 - Purchased by a qualifying patient/caregiver from a licensed dispensing organization
 - In a verifiable container from licensed dispensary
 - Properly labeled with qualifying patient information
 - Packaged according to the [Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/80](#)



Acceptable Medical Cannabis-infused Products

- Oils
- Ointments
- Foods
- Patches
- Other products that contain usable cannabis but are NOT smoked or vaped





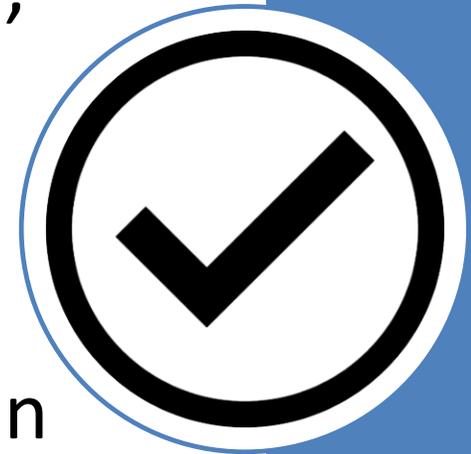
When Can Medical Cannabis Infused Products be Administered at School?

- Only after all the following conditions are met
 - Adoption of a policy
 - Copies of caregiver and student registry identification cards are obtained and verified
 - Written authorization from parent/guardian is obtained
 - Proper storage measures practiced
 - Training has been completed by the school nurse and/or school administrator



Written Authorization From a Parent/Guardian

- The written authorization must specify the times where, or the special circumstances under which, the medical cannabis infused product must be administered.
- The written authorization and a copy of the registry identification cards must be kept on file in the office of the school nurse.



*The authorization for a student to self-administer medical cannabis infused products is **effective for the school year in which it is granted and must be renewed each** subsequent school year upon fulfillment of the requirements of 105 ILCS 5/22-33.



Where in School Environments, May Medical Cannabis be Administered?

A school district, public school, charter school, or nonpublic school shall allow a **school nurse or school administrator** to administer a medical cannabis infused product to a student who is a registered qualifying patient :

- While on school premises,
- While at a school-sponsored activity, or
- Before or after normal school activities, including while the student is in before-school or after-school care on school-operated property or while the student is being transported on a school bus.



Administration Facts-Recap

- Before allowing administration by school nurse, school administrator, or self-administration, the parent/guardian must provide written authorization and copy of the student's registry identification card.
- The written authorization and copy of the registry identification card must be kept on file in the office of the school nurse.





Storage

- Any medical cannabis infused product administered either by a school nurse or administrator; or self-administered under the supervision of a school nurse or administrator, must always be stored with the school nurse in a matter consistent with the storage of other student medication at the school.
- Is to be accessible only by the school nurse or a school administrator.



How may medical cannabis infused products be administered?

- Most Common
 - Oral route
 - Edibles, gummies, food products
 - Sublingual route
 - Dissolved under the tongue
 - Cutaneous route
 - Topical
 - Transdermal route
 - Patch
- Generally Not Practiced
 - Rectal route
 - Suppositories
 - Injection route
 - Ocular route
 - Eye drops
 - Other



Adequate Supply

- 410 ILCS 130/10 (a) (1) states that an adequate supply 2.5 ounces of usable cannabis for a period of 14 days (which may be increased by the provider to alleviate the debilitating condition) for each Qualifying Patient
- Amount is reflected on the Identification Card in the lower left corner.
- For questions or more information regarding adequate supply, please contact the Illinois Department of Public Health, Division of Medical Cannabis:
 - Phone: 1-855-636-3688
 - Email: DPH.MedicalCannabis@Illinois.gov



Patient Qualifications

**COMPASSIONATE USE OF MEDICAL CANNABIS PROGRAM ACT
410 ILCS 130**



To Qualify for a Registry Identification Card (under age 18)

- Be a resident of the State of Illinois
- Have a qualifying debilitating medical condition (for a complete list visit: <http://www.dph.illinois.gov/topics-services/prevention-wellness/medical-cannabis/debilitating-conditions>)
- Have two signed health care professional certifications
 - Recommending health care professional
 - Reviewing health care professional
- Along with parent(s)/guardian & caregiver submit a complete application



Registry Identification Card



- Issued by the Illinois Department of Public Health
- Identifies a person as a registered qualifying patient or registered designated caregiver
- <http://www.dph.illinois.gov/topic-s-services/prevention-wellness/medical-cannabis/minorqualifyingpatients>



Registry Identification Card Continued

- Expires up to three years from the date of issuance
- For more information on Registry Identification Cards, please contact the Division of Medical Cannabis:
 - Phone: 1-855-636-3688
 - Email: DPH.MedicalCannabis@Illinois.gov



Certifying Healthcare Professional

The following can act as certifying health care professionals:

- Physicians
- Advanced practice registered nurses
- Physician assistants

[410 ILCS 130/10](#)





Verifying a Registration Identification Card

<https://medicalcannabispatients.illinois.gov/>



The screenshot shows the 'Access Your Account' login form on the left and a 'Welcome' message on the right. The login form includes fields for 'User ID' and 'Password', a 'Log In' button, and links for 'Register', 'Forgot Password?', and 'Forgot User ID?'. The 'Welcome' message includes a green warning: '*** Mobile Devices are not supported at this time ***'. Below this, it states: 'If you have been diagnosed with a TERMINAL ILLNESS and are applying for a 6-month terminal illness medical cannabis registry identification card, please select the available terminal illness application online or visit the IDPH website'. A paragraph explains the system is for qualifying patients and caregivers, with a note that 'Qualifying patients should consider discussing medical cannabis with their health care professional prior to beginning the application. All applicants, except for veterans receiving care at a VA facility, must have their health care professional submit a written certification confirming their debilitating condition. Veterans must submit the most current year of medical records from the VA.' A bullet point notes: 'If you are a NEW applicant and would like to apply for a registry identification card, you must first create an online account by registering. If you have already created an account and wish to log in to start or continue an initial application you may log in with your online account using the Access Your Account fields on the left'.



Create a Patient Registration

Click this icon to begin a Patient Registration.



Verify a Registry Identification Card

Click this icon to verify a registry identification card status.



Verifying a Registration Identification Card, Cont.

- To check patient status, registration type selected will be MQP (minor qualifying patient)
- To check caregiver status, registration type selected will be MCG (minor caregiver)
- Enter ONLY the numeric characters in the search field
- Once information is entered, you will receive either "active" or "inactive" status



Designated Caregiver

- Qualifying patients under the age of 18 may identify three designated caregivers including biological parents and legal guardians with decision making responsibilities.
- One must be a parent or legal guardian, then may designate a second caregiver
- Must be at least 21 years of age, a resident of the state of Illinois, and has agreed to assist with a patient's medical use of cannabis
- Assists no more than one registered qualifying patient with his or her medical use of cannabis

Joint Committee on Administrative Rules [77 I u Part 946 Section 201](#)



Further Considerations



Student Privacy

- Staff must ensure student confidentiality by revealing only necessary health concerns and only to those individuals whose knowledge may affect the student's health.
 - Family Educational Rights and Privacy Act (20 U.S.C. 1232g) (34 C.F.R. Part 99)(“FERPA”)
 - Health Insurance Portability and Accountability Act of 1996. Pub. L. 104-191. Stat. 1936. 45 CFR [Part 160](#) and Subparts A and C of [Part 164](#) (“HIPAA)
 - Illinois School Student Records Act (105 ILCS 10/1 et seq.)(23 Ill. Admin. Code Part 375) (“ISSRA”)
 - Compassionate Use of Medical Cannabis Program Act ([410 ILCS 130/145](#))



Punitive Action-Student

- A school district/ school may not discipline a student who is administered a medical cannabis infused product by a parent, guardian or other individual, or who self-administers a medical cannabis infused product under the supervision of a school nurse/ school administrator.



Punitive Action-School Nurse/School Administrator

- A school nurse or school administrator is not subject to arrest, prosecution, or denial of any right or privilege, including, but not limited to, a civil penalty, or disciplinary action by an occupational or professional licensing body, for acting in accordance with 105 ILCS 5/22-33.



CBD Oil-unregulated

- **CBD oil (like those available at many retail outlets and online)**
 - NOT regulated
 - NO Quality Control
- Schools should consult their legal counsel for policy development regarding such products



Nursing Considerations

- Essential knowledge
 - Scope of practice
 - Standards of practice
- Know current legislation
 - Related to medical & recreational cannabis
 - For questions regarding nursing licensure, obligations, duties, and responsibilities under the [Nurse Practice Act](#), please contact the Illinois Department of Financial and Professional Regulation.
- Working knowledge of the [Medical Cannabis Program](#) and [Illinois School Code](#)
 - Remain current with regulatory changes that impact practice.



Who to Contact for Further Information



Resources for Further Information

[Illinois Department of Public Health \(IDPH\)](#)

[Illinois Department of Financial and Professional Regulation](#)

[Illinois Association of School Boards](#)



Resources for Further Information

[National Council of State Boards of Nursing](#)

[Illinois Association of School Nurses](#)

[National Association of School Nursing](#)

[American Nurses Association-Illinois](#)

[American Cannabis Nurses Association](#)



Thank you for attending the webinar today!

- A Frequently Asked Question document will be made available on the Medical Cannabis page of ISBE's website. A copy of the presentation slides will also be made available.
- For more information on the Evidence of Completion or Professional Development Certificate [survey](#), please contact, Rebecca Doran by e-mail: rdoran@isbe.net
- A recorded webinar will be posted to the Medical Cannabis page of ISBE's website. Professional Development Credit will be authorized for verified individuals who view the entire webinar, complete the Evaluation Form between 09/16/20-6/30/21.