



Medical Cannabis-Infused Product Administration Training

June 30, 2023



Agenda

- Purpose of Training
- Outcomes for This Presentation
- Overview of Medical Cannabis Laws in Illinois
- Developing a Medical Cannabis School Policy
- Administration of Medical Cannabis-Infused Products
- Patient Qualifications
- Further Considerations
- Resources



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 medical cannabis administration, a school nurse is defined as one who holds a Professional Educator License (PEL) as a school support personnel school nurse or any registered professional nurse (with or without PEL) who was employed as a nurse in their current district prior to July 1, 1976. [105 ILCS 5/10-22.23](#)



Questions?

- Email: schoolnurse@isbe.net
- Webinar recording and FAQ to be posted:
<https://www.isbe.net/Pages/Health.aspx>



Purpose of Training

- This training meets the requirement ([Public Act 101-0370](#); amended School Code 105 ILCS 5/22-33)
 - Curriculum by Illinois State Board of Education (ISBE) in consultation with the Illinois Department of Public Health (IDPH).
 - For administration of medical cannabis-infused product to students with qualifying health condition during the school day.
 - Annual training for school nurse and school administrators who supervise self-administration of a medical cannabis-infused product.
 - Records of completion of this training for school nurses and school administrators are to be kept at the local level.



Outcomes for This Presentation

- Become familiar with current Illinois medical cannabis laws.
- Know the requirements for administration of medical cannabis-infused products to qualifying patients.
- Know how to supervise a student qualifying patient who will be self-administering medical cannabis-infused products.
- Become aware of medical cannabis administration policy development.



Overview of Medical Cannabis Laws in Illinois



History of Ashley's Law

- [Illinois Public Act 100-0660](#), Ashley's Law, was enacted in 2018. The act was named for Ashley Surin of Schaumburg.
- At that time, it permitted parent, guardian, or caregiver to supervise or administer medical cannabis-infused product.
- An expansion of Ashley's Law in 2020 allows a student who is a registered qualifying patient to self-administer medical cannabis-infused product under the direct supervision of a school nurse or school administrator.
 - [PA 101-0370](#)
 - [105 ILCS 5/22-33](#)



Ashley Surin with her parents (photo from <https://www.cbsnews.com/chicago/news/ashleys-law-ashley-surin-medical-marijuana-at-school-illinois-law/>)



Current Illinois Statutes - Medical Cannabis

- [Compassionate Use of Medical Cannabis Program Act](#)
 - 410 ILCS 130/
- [Compassionate Use of Medical Cannabis Program Rules](#)
 - 77 IL Admin. Code 946
- [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 and for licensing of registered professional nurses.
- ISBE -- Governing body for the administration of medical cannabis-infused products in a school setting. (105 ILCS 5/22-33)
- Illinois Department of Agriculture -- Governing body for registering and regulating cultivation centers.



[PA 101-0370](#): Schools have been required since 2020 to adopt a local policy to IMPLEMENT Ashley's Law.

Developing a Medical Cannabis School Policy



Policy Consideration (1 of 2)

- 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 (2 of 2)

- 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.



Who, What, When, Where, How

Administration of Medical Cannabis-Infused Products



Who can administer medical cannabis-infused products in a school setting?

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

No school personnel may be forced to administer medical cannabis-infused products. However, policies may not be crafted in such a way as to deny a student who is a registered qualified patient access to medical cannabis-infused product.



Who: Designated Caregiver

- A parent, guardian, or any other individual registered with IDPH can be a designated caregiver for a student who is a registered qualifying patient.
- Designated caregiver who administers medical cannabis to the child during school shall remove the product from the school premises or school bus.
- The product may not be administered in a manner that would:
 - Create a disruption to the school's educational environment.
 - Cause exposure of the product to other students.



Who: 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.**
- A member of a school's staff cannot be required to administer a medical cannabis-infused product to a student.
- School nurses who have questions about nursing licensure, duties, responsibilities, or obligations under the Nurse Practice Act should contact the [Illinois Department of Financial and Professional Regulation](#).



Who: 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 the ISBE/IDPH training on an annual basis.



Who: 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.





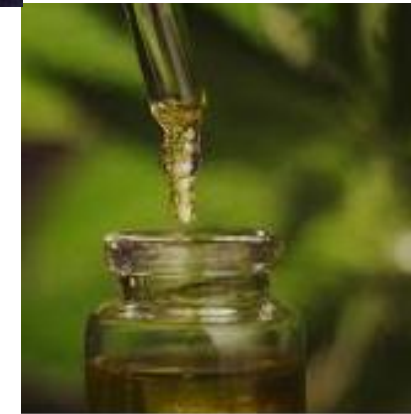
What medical cannabis-infused products can be administered at school?

- 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





CBD Products -- Unregulated

- *CBD is NOT a medical cannabis product for purposes of the Compassionate Use of Medical Cannabis Program Act.*
- CBD is a cannabinol.
- CBD doesn't contain tetrahydrocannabinol (THC).
- **CBD oil and others (like those available at many retail outlets and online):**
 - Are NOT regulated.
 - NO quality control.
- Schools should consult their legal counsel for policy development regarding use or administration of CBD products.



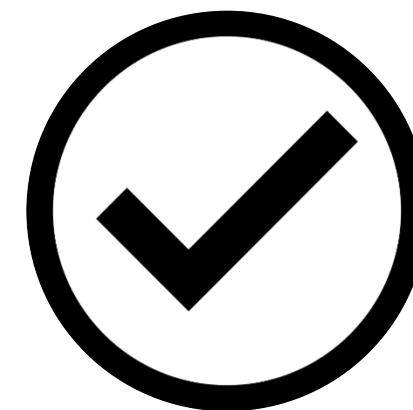
When can medical cannabis-infused products be administered at school?

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



Written Authorization from a Parent/Legal 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 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 a medical cannabis-infused product 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.



Where: 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 or school administration.
- The product is to be accessible only by the school nurse or a school administrator.



How may medical cannabis-infused products be administered?

- 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



Photo from creative commons



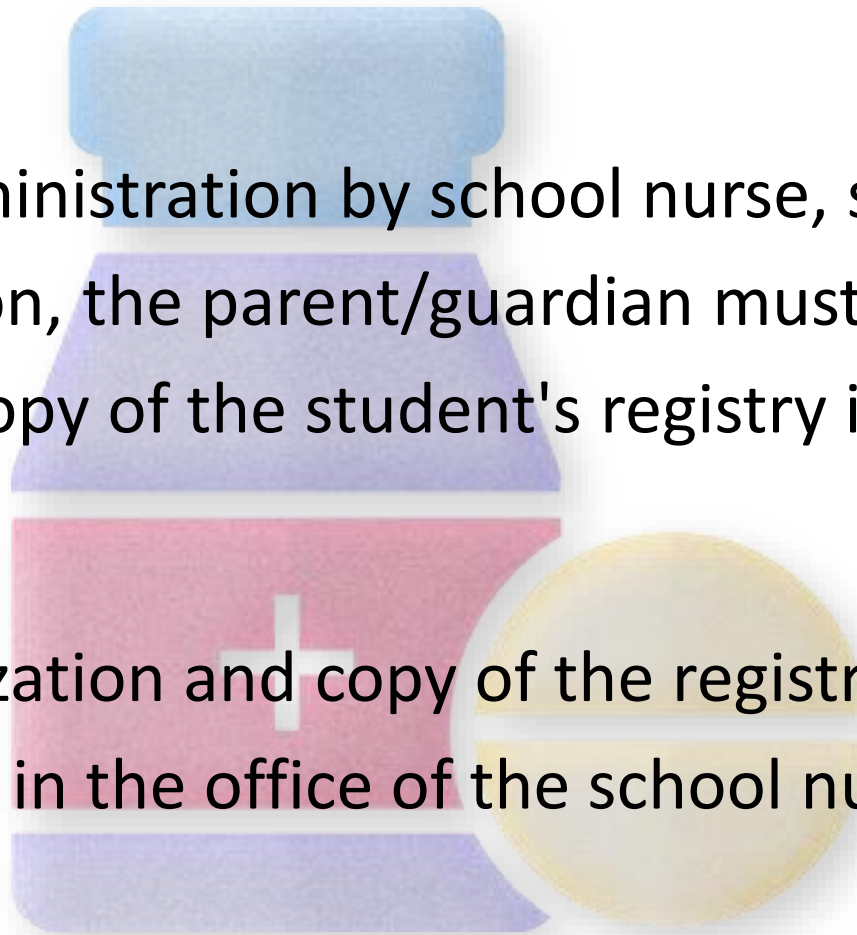
Adequate Supply

- 410 ILCS 130/10 (a) (1) states that an adequate supply is 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.
- Adequate supply amount for the qualifying patient is indicated on the registry identification card.
- 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 Monday through Friday, 9 a.m. to 4 p.m.
 - Email: DPH.MedicalCannabis@Illinois.gov



Administration of Medical Cannabis 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.





Compassionate use of Medical Cannabis Program Act
410 ILCS 130

Patient Qualifications



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

- Be a resident of the state of Illinois.
- Have a [qualifying debilitating medical condition](#).
- Have two signed health care professional certifications:
 - Recommending health care professional
 - Reviewing health care professional
- Parent(s)/guardian and/ or caregiver submit a complete application.
- May submit a waiver to increase the maximum amount allowed.




Registry Identification Card (1 of 3)

Illinois Department of Public Health
Medical Cannabis Registered Qualifying Patient Under Age 18

Patient: Name	MARCOS JR TEST NINE
Patient ID #:	MQP.95884800
Address:	535 W JEFFERSON SPRINGFIELD, IL 62761
DOB:	01/01/2018
Issued:	02/05/2021
Expires:	08/05/2021

Max Allowed:
2.50

LIMITED TO MEDICAL
CANNABIS-INFUSED
PRODUCTS



- Issued by the Illinois Department of Public Health.
- Identifies a person as a registered qualifying patient or registered designated caregiver.
- [Minor Qualifying Patient information from IDPH.](#)
- Details maximum amount allowed for 14-day period.
- Printable card from IDPH Medical Cannabis Program webpage.



Registry Identification Card (2 of 3)

- Options exist for a one-, two-, or three-year medical cannabis registry card for a minor with a debilitating condition.
- For more information on Registry Identification Cards, please contact the Division of Medical Cannabis:
 - Phone: 1-855-636-3688
 - Email: DPH.MedicalCannabis@Illinois.gov



Registry Identification Card (3 of 3)

Go to the IDPH Medical Cannabis Program [webpage](#) to view or print qualified patient card.

1. To print your card or provisional letter, sign into the system using your username and password.

2. Select your application from the Tracking Inbox.

Tracking Inbox : MCPD Patient Registration						
All Assignments						
Registration State	Status	Patient Registration ID	Application Type	Terminal illness	First Name	Last Name
Initial Application	Active	0001000001	Applying for myself	Yes	John	Doe
+ New MCPD Patient Registration						

If you are wanting to print your card, click Print Card.



Certifying Health Care Professional

The following can act as certifying health care professionals:

- Physicians
- Advanced practice registered nurses
- Physician assistants

[410 ILCS 130/10](#)





Designated Caregiver

- Qualifying patients under the age of 18 may identify three designated caregivers, including at least one biological parent or legal guardian, with decision-making responsibilities.
- A designated caregiver must be a resident of the state of Illinois and agree to assist with a patient's medical use of cannabis.
- A designated caregiver may not assist more than one registered qualifying patient with his or her medical use of cannabis.



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 [Subpart 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.
- A school district/school may not deny the student's eligibility to attend school solely because the student requires the administration of the product.



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.



Nursing Considerations

- Essential knowledge
 - Scope of practice
 - Standards of practice
- Know current legislation
 - Related to medical and 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.



Resources



Resources for Further Information (1 of 2)

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

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

[Illinois Association of School Boards](#)



Resources for Further Information (2 of 2)

[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!

- The recorded webinar and a copy of the presentation will be posted to the Training Opportunities section of ISBE [School Health](#) webpage.
- Professional development credit will be authorized for verified individuals who view the entire webinar.
- Complete the Evaluation Form between July 1, 2023-June 30, 2024.
- For information on the Evidence of Completion or Professional Development Certificate, please contact schoolnurse@isbe.net.



Questions?

- Email: schoolnurse@isbe.net
- Webinar recording and FAQ to be posted:
<https://www.isbe.net/Pages/Health.aspx>