Medical Cannabis Infused Product Administration Training

January 7, 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.
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?

- **Public Act 101-0370** required the Illinois State Board of Education (ISBE), in consultation with the Illinois Department of Public Health (IDPH), to develop a training curriculum on medical cannabis. School nurses and school administrators must complete this training prior to administering medical cannabis infused products to students and on an annual basis.
  - ISBE will update the training annually as new information becomes available.
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 and/or caregiver.
Overview of Medical Cannabis Laws in Illinois

105 ILCS 5/22-33 MEDICAL CANNABIS "ASHLEY'S LAW"
History of Ashley's Law

• In 2018, Governor Bruce Rauner signed Ashley’s Law, legislation named after 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

105 ILCS 5/22-33:

– 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.

• Effective January 1, 2020, Ashley's Law expands to allow students to self-administer medical cannabis infused products 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

• [410 ILCS 130/ Compassionate Use of Medical Cannabis Program Act](/410 ILCS 130/
  Compassionate Use of Medical Cannabis Program Act)

• [105 ILCS 5/22-33 Medical Cannabis "Ashley's Law"](105 ILCS 5/22-33 Medical Cannabis "Ashley's Law")
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 ON THE ADMINISTRATION OF MEDICAL CANNABIS INFUSED PRODUCTS.
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
  – Before and after-school care
  – Student discipline
  – Bus transportation and school-sponsored activities
  – Storage and supply
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?

- Designated caregiver
- *Trained* school nurse or school administrator
- Student, under the direct supervision of a 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
Student Self-administration

• A student, who is a registered qualifying patient, may self-administer a medical cannabis infused product under the direct supervision of a 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
  – 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.
Storage

• Any product administered 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.

• May 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 is 2.5 ounces of usable cannabis during a period of 14 days and that is derived solely from an intrastate source.

• 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
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.
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](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
- 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/topics-services/prevention-wellness/medical-cannabis/minorqualifyingpatients](http://www.dph.illinois.gov/topics-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
Verifying a Registration Identification Card

https://medicalcannabispatients.illinois.gov/
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)
- Once information is entered, you will receive either "active" or "inactive" status
Designated Caregiver

• Qualifying patients under the age of 18 can have up to two designated caregivers so long as they are either a custodial parent or legal guardian

• 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
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 (FERPA)
  – Health Information Portability and Accountability Act (HIPAA)
  – Illinois School Student Records Act
  – 410 ILCS 130/145 Confidentiality
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
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.

- An evidence of completion, a certificate will be available for those who participated in the entire webinar, following completion of the Evaluation Form. Completion certificates will be emailed 14 days following completion.

- A recorded webinar will be posted to the Medical Cannabis page of ISBE's website by January 10, 2020. Professional Development Credit will be authorized for verified individuals who view the entire webinar, complete the Evaluation Form between 1/10/20-6/30/20.