

# Medications for Respiratory Distress on School Campuses Webinar FAQs

---

May 7, 2024

The following questions were asked during the May 7, 2024, Medications for Respiratory Distress on School Campuses webinar. A recording of that webinar is available on the DSHS School Health Program [Allergies and Anaphylaxis webpage](#). Please contact the DSHS School Health Program at [schoolhealth@dshs.texas.gov](mailto:schoolhealth@dshs.texas.gov) or 512-776-7279 if you have any questions.

## **Can you speak on the definition of “regular school hours?”**

[Texas Education Code \(TEC\), Section 38.208](#), which allows school campuses to adopt a medication for respiratory distress policy, uses the term “regular school hours.” However, the TEC doesn’t define regular school hours. As of June 2024, the rules for the maintenance and administration of asthma medication ([25 Texas Administrative Code, Chapter 40, Subchapter D](#)) do not reflect the updated statutory requirements, but they are under review with an anticipated adoption date in March 2025. The forthcoming rules will include a definition of regular school hours. Until the rules are adopted the school district policy must comply with TEC, Section 38.208 if the district chooses to adopt a policy on the maintenance and administration of medication for respiratory distress.

## **If a school adopts a policy under TEC, Section 38.208(b-1), does this mean that the medication must be sent to off campus/after school events or does it mean that if it is sent, a trained person must be available?**

Statute does not require the medication to be sent and does not require trained personnel be available at off campus/after school events. If a school adopts a policy under [Texas Education Code, Section 38.208](#), then that policy must allow authorized and trained school personnel/volunteers to administer medication for respiratory distress to a person reasonably believed to be experiencing respiratory distress on a school campus, or at a school-sponsored or school-related activity on or off school property. The school could create a policy sending the medication and trained personnel to off campus/after school events, but this is not required.

## **Is it allowable if the district's policy states that the medication will not be available off-campus or after hours?**

Yes. Statute does not require the school to have the medication available off campus or outside regular school hours.

## **What is the best way to get medication for respiratory distress standing orders by a physician if the district does not have one?**

The DSHS School Health Program recommends speaking with your local hospital system, [local health department](#), [EMS Field Office](#), and community clinics.

## **Is there somewhere to order the medication without cost?**

The DSHS School Health Program is unaware of any free programs to order medications for respiratory distress.

## **Is there a plan for state funding for this program?**

The DSHS School Health Program is unaware of any plans to fund the medication for respiratory distress policy at the state level.

## **Will the medication most likely be in an inhaler/spacer form, or in nebulizer form?**

[Texas Education Code, Section 38.208](#), does not specify the method of inhalation of the medications for respiratory distress that must be used. The school may choose which medication administration method would work best at their school. While the method of inhalation is not defined, [Texas Education Code, Section 38.201](#), does define the medications to be used as, "medication for respiratory distress." Medications for respiratory distress are albuterol, levalbuterol, or another medication designated by the executive commissioner of the Health and Human Services Commission for treatment of respiratory distress under Texas Education Code, Section 38.208(c).

## **Are there specific training requirements?**

As of June 2024, the rules for the maintenance and administration of asthma medication ([25 Texas Administrative Code, Chapter 40, Subchapter D](#)) do not reflect the updated statute, but they are under review with an anticipated adoption date in March 2025. As required by [Texas Education Code, Section 38.208](#), DSHS will adopt rules regarding the maintenance, administration, and disposal of medication for respiratory distress. The rules will include training requirements for school personnel and school volunteers to administer medication for respiratory distress.

## **Is it feasible for non-medical staff to distinguish between anaphylaxis and an asthma attack and determine the appropriate medication to administer?**

As of June 2024, the rules for the maintenance and administration of asthma medication ([25 Texas Administrative Code, Chapter 40, Subchapter D](#)) do not reflect the updated statute, but they are under review with an anticipated adoption date in March 2025. As required by [Texas Education Code, Section 38.208](#), DSHS will adopt rules regarding the maintenance, administration, and disposal of medication for respiratory distress. The rules will include the amount of training required for school personnel and school volunteers to administer medication for respiratory distress.

## **When do we anticipate the related rules (25 Texas Administrative Code, Chapter 40, Subchapter D) will be updated?**

As of June 2024, the rules for the maintenance and administration of asthma medication do not reflect the updated statute, but they are under review with an anticipated adoption date in March 2025.

## **Are schools required to adopt a medication for respiratory distress policy? If not required at this time, when is it anticipated that it will be required?**

No. A policy on the maintenance and administration of medication for respiratory distress is optional for schools. The DSHS School Health Program is unaware of any plan to require schools to adopt a medication for respiratory distress policy.

## **Can the medication for respiratory distress policy only be used for students with an asthma diagnosis?**

No. The statute allows authorized and trained school personnel and volunteers to administer the medication to anyone who is reasonably believed to be experiencing respiratory distress.

## **Is there a sample policy to read?**

The DSHS School Health Program does not currently have a sample policy. However, there are several resources available to help design the policy including the American Lung Association's [model policy on stock bronchodilators](#). Please note that this is only a model policy, and it may not contain all the policy requirements listed under [Texas Education Code, Section 38.208](#).

## **What is the proper personal protective equipment for staff that administer the nebulizer treatment? Best practice is to use a room with reverse air filtration or a room that can be**

## **shut down for 24hrs then cleaned appropriately. What happens when a campus does not have that space?**

Please review the [CDC's Respiratory Virus Guidance](#), the [American Academy of Pediatrics' Asthma Management in Schools](#), and the [Indiana Department of Health's Nebulizer Guidance for School Nurses](#) for guidance.

## **For policy notification, does posting the policy on the district webpage meet the requirement for parent/guardian notification?**

No. Please review [Texas Education Code, Section 38.212](#) for specific requirements.

## **When reporting the use of a medication for respiratory distress, must the written report be submitted to the physician who writes the standing order?**

Yes. Please review [Texas Education Code, Section 38.2091](#) for specific requirements.

## **Can parents donate unused inhalers?**

Yes. A school may accept gifts, grants, donations, and federal and local funds to implement a medication for respiratory distress policy.

For more information, visit the [DSHS School Health Program webpage](#).



**TEXAS**  
Health and Human  
Services

Texas Department of State  
Health Services