

  
Councilmember Mary M. Cheh

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Student Access to Treatment Act of 2007 to permit students to possess and self-administer sunscreen while at school, traveling to school, or on a school-related trip without a medication action plan, to train employees and agents of a school to administer sunscreen, to permit trained employees or agents of a school to administer sunscreen to students, to specify the manner in which school and student-procured sunscreen are to be stored and made accessible at schools, to permit schools to limit storage of sunscreen to 8 ounces or less per student, and to clarify that schools may discipline students for self-administration of sunscreen for purposes other than treatment.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "School Sunscreen Safety Amendment Act of 2018".

Sec. 2. The Student Access to Treatment Act of 2007, effective February 2, 2008 (D.C. Law 17-107; D.C. Official Code § 38-651.01 *et seq.*) is amended as follows:

(a) Section 2 (D.C. Official Code § 38-651.01) is amended as follows:

(1) Paragraph (2) is amended by adding a new sentence at the end to read as follows: "Medication shall not include sunscreen."

(2) A new paragraph (5A) is added to read as follows:

"(5A) "Sunscreen" means a lotion, cream, spray, or gel regulated by the federal Food and Drug Administration for purposes of absorbing, reflecting, or scattering ultraviolet radiation and preventing sunburn."

(b) Section 3 (D.C. Official Code § 38-651.02) is amended as follows:

35 (1) The title is amended by striking the phrase “self-administration of  
36 medication.” and inserting the phrase “self-administration of medication and sunscreen.”

37 (2) The existing text is designated as subsection (a).

38 (3) A new subsection (b) is added to read as follows:

39 “(b) A student may possess and self-administer sunscreen at the school in which the  
40 student is currently enrolled, at school-sponsored activities, and while on school-sponsored  
41 transportation, in order to protect against ultraviolet radiation and sunburn, without the  
42 submission of a medication action plan, provided that the responsible person has not provided  
43 written notice to the school principal or school nurse that the student may not possess or self-  
44 administer sunscreen.”.

45 (c) Section 5(a) (D.C. Official Code § 38-651.04) is amended as follows:

46 (1) The title is amended by striking the phrase “Medication administration” and  
47 inserting the phrase “Medication and sunscreen administration”

48 (2) Paragraph (1) is amended by striking the phrase “; and” and inserting a  
49 semicolon in its place.

50 (3) Paragraph (2) is amended by striking the period and inserting the phrase “;  
51 and” in its place.

52 (4) A new paragraph (3) is added to read as follows:

53 “(3) Administer sunscreen to any student in accordance with section 5(b).”.

54 (d) Section 6 (D.C. Official Code § 38-651.05) is amended as follows:

55 (1) The title is amended by striking the phrase “Administration of medication.”  
56 and inserting the phrase “Administration of medication and sunscreen.”

57 (2) The existing text is designated as subsection (a).

58 (3) A new subsection (b) is added to read as follows:

59 “(b) An employee or agent trained and certified pursuant to section 5 may administer  
60 sunscreen to a student at the school in which the student is currently enrolled, at school-  
61 sponsored activities, and while on school-sponsored transportation, in order to protect the student  
62 against ultraviolet radiation and sunburn.”.

63 (e) Section 9(c) (D.C. Official Code § 38-651.08(c)) is amended by striking the phrase  
64 “certified to administer medication.” and inserting the phrase “certified to administer medication  
65 and sunscreen.”.

66 (f) Section 10 (D.C. Official Code § 38-651.09) is amended as follows:

67 (1) The title is amended by striking the phrase “Storage of medication.” and  
68 inserting the phrase “Storage of medication and sunscreen.”

69 (2) A new subsection (c) is added to read as follows:

70 “(c) A school shall properly store sunscreen procured by a student in a location to which  
71 the student has access.

72 “(1) A student shall be permitted to store sunscreen in a locker or other school  
73 space designated for use by that student.

74 “(2) No school shall be required to store more than an 8 ounce supply of  
75 sunscreen for any one student.”.

76 Sec. 4. Fiscal impact statement.

77 The Council adopts the fiscal impact statement in the committee report as the fiscal  
78 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
79 approved October 16, 2006 (12 Stat. 2038; D.C. Official Code § 1-301.47a).

80 Sec. 5. Effective date.

81           This act shall take effect following approval by the Mayor (or in the event of veto by the  
82 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
83 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
84 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
85 Columbia Register.