

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, 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, and to permit trained employees or agents of a school to administer sunscreen to students.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “School Sunscreen Safety Emergency Amendment Act of 2019”.

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:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

64 Sec. 4. Fiscal impact statement.

65 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact  
66 statement required by section 4a of the General Legislative Procedures Act of 1975, approved  
67 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

68 Sec. 5. Effective date.

69 This act shall take effect following approval by the Mayor (or in the event of veto by the  
70 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than  
71 90 days, as provided for emergency acts of the Council of the District of Columbia in section  
72 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;  
73 D.C. Official Code § 1-204.12(a)).