



Chairman Phil Mendelson

AN AMENDMENT

Bill 23-467, "Student Medical Marijuana Patient Fairness Amendment Act of 2019"

(Committee Print)

January 7, 2020

Amendment:

Section 3 of Bill 23-467, beginning with line 43, is amended by adding a new subsection (a-1) to read as follows:

43 (a-1) Section 3 (D.C. Official Code § 38-651.02) is amended by adding a new subsection (b) to
44 read as follows:
45 "(b)(1) A student may possess and self-administer sunscreen at the school in which the student is
46 currently enrolled, at school-sponsored activities, and while on school-sponsored transportation,
47 to protect against ultraviolet radiation and sunburn, without the submission of a medication
48 action plan; provided, that the responsible person has not provided written notice to the school
49 principal or school nurse that the student may not possess or self-administer sunscreen.
50 "(2) School staff may administer sunscreen to a student at the school in which the student is
51 currently enrolled, at school-sponsored activities, and while on school-sponsored transportation,
52 to protect against ultraviolet radiation and sunburn, without the school possessing a medication
53 action plan for that student; provided, that the student or responsible person has provided
54 sunscreen for that purpose, and the responsible person has not provided written notice to the
55 school principal or school nurse that the student may not use sunscreen."

Rationale: This amendment clarifies that students may possess and self-administer sunscreen at school, school-sponsored events, or on school-sponsored transportation, as well as clarifying that school personnel may also administer it. Currently, Bill 23-467 declassifies sunscreen as a medication, but it does not speak to who may possess or administer it. While the Committee on Education committee report does indicate that the intent is for students or school personnel to be able to possess and administer sunscreen, the **Department of Health** is concerned that this will still lead to confusion among school nurses and school personnel and **has asked that the bill include language** that clearly states who may possess and administer sunscreen during school, school-sponsored activities, and when students are on school-sponsored transportation. Notably, the Council approved emergency (Bill 23-422, the "School Sunscreen Safety Emergency Amendment Act of 2019") and temporary legislation (Bill 23-423, the "School Sunscreen Temporary Amendment Act of 2019") on September 17, 2019 and October 8, 2019, respectively, which declassified sunscreen as a medication and included language that specified who may possess and administer it. The language in this amendment is the exact language included in the emergency and temporary legislation.