


Government of the District of Columbia
Office of the Chief Financial Officer



Glen Lee
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Glen Lee
Chief Financial Officer 

DATE: October 10, 2023

SUBJECT: Fiscal Impact Statement – Access to Emergency Medications
Amendment Act of 2023

REFERENCE: Bill 25-226, Draft Committee Print as provided to the Office of Revenue
Analysis on October 3, 2023

Conclusion

Funds are not sufficient in the fiscal year 2024 through fiscal year 2027 budget and financial plan to implement the bill. The bill will cost \$857,000 in fiscal year 2024 and \$2.99 million over the financial plan to implement.

Background

Students enrolled in public and public charter schools who suffer from certain health conditions, such as asthma, diabetes, and epilepsy, have medication action plans that allow school staff to administer medications during a health emergency. These medications are typically brought from home and are on hand at schools to be used for specific students. When an emergency, such as an asthma attack, hyperglycemia, or a seizure occurs, school staff are currently unable to administer undesignated emergency medication if students do not have a medical action plan and self-supplied medication.

The bill establishes¹ policies and procedures that authorize employees and agents of public schools who have been certified through a Department of Health (DC Health) training program to administer

¹ By amending 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.).

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undesigned medications, including albuterol² and glucagon, to students.³ The bill specifies what role DC Health, public and public charter schools, and the Office of the State Superintendent of Education (OSSE) play in overseeing the certification, storage, and use of undesigned emergency medications. The requirements for each agency are detailed below.

Department of Health (DC Health)

The bill designates DC Health to oversee the distribution and administration of undesigned emergency medication. Specifically, the bill requires DC Health to:

- Establish an undesigned emergency medications action plan by February 1, 2024 that authorizes public schools to possess and administer undesigned emergency medications;
- Obtain by June 1, 2024 a standing order signed by at least one physician, physician's assistant, or advance practice nurse licensed in the District to permit public schools to use undesigned emergency medications;
- Procure and distribute undesigned emergency medications to public schools;
- Ensure the removal and replacement of expired emergency medications;
- Monitor the supply of undesigned medications to ensure that sufficient supply is provided to schools;
- Maintain records regarding the procurement, distribution, and disposition of undesigned medications for three years;
- Establish written protocols for schools to notify a student's parent or guardian and health suite personnel after the administration of an undesigned emergency medication; and
- Issue rules to implement the use of undesigned emergency medications and create a list designating specific medications that would be administered in emergency circumstances.

Public and Public Charter Schools

Select staff members at each public school will be responsible for administering undesigned emergency medication to students suffering from an emergency health condition. Each public school must by, July 1, 2024:

- Designate at least two employees to be certified by DC Health in the use of undesigned emergency medications;
- Store undesigned emergency medication in secure, easily accessible locations;
- Communicate the contact information of the school's certified employees to staff and personnel at the school; and
- Notify DC Health that an undesigned emergency medication was administered to a student within one day.

Office of the State Superintendent of Education (OSSE)

OSSE's Division of Health and Wellness will oversee compliance with specific training requirements and will provide support to schools as they implement plans to administer undesigned emergency medication to students. The bill requires OSSE to:

² Albuterol is an inhaled medication that is used to treat breathing difficulties such as wheezing, shortness of breath, and asthma.

³ Glucagon is a hormone that raises blood glucose levels and is used to treat hypoglycemia. Glucagon is taken as a nasal spray or an injection .

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- Obtain written proof, on an annual basis, that each public school is complying with the statutory requirements to administer undesignated emergency medications;
- Require any public school not in compliance to submit a plan outlining the steps the school will take to address the noncompliance;
- Provide public schools with resources to implement the use of undesignated emergency medications; and
- Maintain records regarding each public school's compliance over three years.

Financial Plan Impact

Funds are not sufficient in the fiscal year 2024 through fiscal year 2027 budget and financial plan to implement the bill. The bill will cost \$857,000 in fiscal year 2024 and \$2.99 million over the financial plan to implement.

DC Health and OSSE require additional resources to implement the bill. The specific costs for each agency are detailed below. Public and public charter school employees already receive training to administer medication to students. Schools may require additional resources if staff must devote additional time to completing training. However, it is unknown at this time whether incorporating administration of undesignated emergency medication into training will lengthen training time.

Department of Health (DC Health)

To develop an undesignated emergency medications action plan, issue standing orders, and monitor the inventory of medications at each school, DC Health must hire a full time Nurse Consultant and Program Support Specialist. The salary and fringe benefits for these employees will cost \$150,000 in fiscal year 2024 and \$770,000 over the financial plan.

DC Health will also need to procure and install 71 locking medication cabinets at schools that do not have health suites. These cabinets will be used to store undesignated emergency medications. The one-time cost of procuring and installing these cabinets is \$46,000 in fiscal year 2024.

DC Health already provides online and in-person Administration of Medication (AOM) training to public school employees. DC Health will update its AOM training to include training on undesignated emergency medications. The one-time cost of updating AOM trainings is \$22,000 in fiscal year 2024.

DC Health will contract with a vendor to procure medication and have it distributed to schools. The contractor will be responsible for delivering albuterol, glucagon, and any future recommended medications, such as anti-seizure medications directly to schools. The cost of medication procurement delivery is \$376,000 in fiscal year 2024 and \$1.54 million over the financial plan.

DC Health will also complete IT upgrades in order to establish an inventory management and reporting system. The total one-time cost of this system is \$150,000 in fiscal year 2024.

| Bill 25-226, Access to Emergency Medications Amendment Act of 2023 | | | | | |
|--|--------------|--------------|--------------|--------------|----------------|
| Total DC Health Cost (\$ in thousands) | | | | | |
| | FY 2024 | FY 2025 | FY 2026 | FY 2026 | Table |
| Salary and Fringe ^(a) | \$150 | \$203 | \$207 | \$210 | \$770 |
| Medication Storage ^(b) | \$46 | \$0 | \$0 | \$0 | \$46 |
| Training Update | \$22 | \$0 | \$0 | \$0 | \$22 |
| Medication Procurement and Distribution ^(c) | \$376 | \$382 | \$388 | \$395 | \$1,541 |
| Reporting and Inventory Management System | \$150 | \$0 | \$0 | \$0 | \$150 |
| Total | \$744 | \$585 | \$595 | \$605 | \$2,529 |

Table Notes:

- (a) Assumes salary for one Grade 12, Step 1 Nurse Consultant and one Grade 9, Step 1 Program Support Specialist. Assumes fringe rate of 22.3 percent and cost growth of 1.7 percent. Assumes January 1, 2024 start date.
- (b) Assumes one-time costs of \$650 for procure and install 71 locking medication cabinets.
- (c) Includes annual procurement and distribution of albuterol and glucagon to 252 schools.

Office of the State Superintendent of Education (OSSE)

OSSE will need to hire a Management Analyst in its Division of Health and Wellness to oversee compliance and to complete the reporting requirements in the bill. The salary and fringe benefits for this employee will cost \$113,000 in fiscal year 2024 and \$464,000 over the financial plan.

| Bill 25-226, Access to Emergency Medications Amendment Act of 2023 | | | | | |
|--|--------------|--------------|--------------|--------------|--------------|
| Total OSSE Cost (\$ in thousands) | | | | | |
| | FY 2024 | FY 2025 | FY 2026 | FY 2026 | Table |
| Salary and Fringe ^(a) | \$113 | \$115 | \$117 | \$119 | \$464 |
| Total | \$113 | \$115 | \$117 | \$119 | \$464 |

Table Notes:

- (a) Assumes salary for one Grade 12, Step 5 Management Analyst. Assumes fringe rate of 23.9 percent and cost growth of 1.7 percent. Assumes January 1, 2024 start date.

| Bill 25-226, Access to Emergency Medications Amendment Act of 2023 | | | | | |
|--|--------------|--------------|--------------|--------------|----------------|
| Total Cost (\$ in thousands) | | | | | |
| | FY 2024 | FY 2025 | FY 2026 | FY 2026 | Table |
| DC Health | \$744 | \$585 | \$595 | \$605 | \$2,529 |
| OSSE | \$113 | \$115 | \$117 | \$119 | \$464 |
| Total | \$857 | \$700 | \$712 | \$724 | \$2,993 |