

1
2
3 A PROPOSED RESOLUTION
4
5
6

7 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
8
9

10
11
12 To declare the existence of an emergency with respect to the need to amend the Student Access
13 to Treatment Act of 2007 to permit students to possess and self-administer sunscreen
14 while at school, traveling to school, or on a school-related trip without a medication
15 action plan, to train employees and agents of a school to administer sunscreen, to permit
16 trained employees or agents of a school to administer sunscreen to students, to specify the
17 manner in which school and student-procured sunscreen are to be stored and made
18 accessible at schools, to permit schools to limit storage of sunscreen to 8 ounces or less
19 per student, and to clarify that schools may discipline students for self-administration of
20 sunscreen for purposes other than treatment.
21

22 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
23 resolution may be cited as the “School Sunscreen Safety Emergency Amendment Emergency
24 Declaration Resolution of 2019”.

25 Sec. 2. (a) Under District law, students may only use medication while at school or
26 school-sponsored activities if their parent or guardian has submitted a valid medication action
27 plan to the school that is signed by a licensed health practitioner.

28 (b) Requiring students to have a medication action plan for any medicine taken at school
29 protects students’ health and ensures that school staff have clear guidance on how to administer
30 student medication. However, under Department of Health (“DOH”) regulations, the District’s
31 definition of “medication” is so broad that it includes over-the-counter products, including
32 sunscreen and other similar products that protect users from UV radiation.

33 (c) Due to the time and effort of securing a valid medication action plan signed by a
34 licensed health practitioner, many families report never submitting this documentation to their

35 child's school. As a result, these children are restricted from accessing sunscreen when engaging
36 in outdoor activities at school, needlessly putting them at increased risk of exposure to UV
37 radiation, sunburn, and ultimately, skin cancer.

38 (d) DOH has the authority to promulgate regulations that would permit students to access
39 sunscreen products while at school without a signed medication action plan; however, the agency
40 has not taken action on this front since the permanent legislation was first introduced on January
41 9, 2018, or its reintroduction on January 22, 2019. In that time, the Council has received several
42 reports of students being restricted from accessing sunscreen while at school or school-related
43 functions.

44 (e) On August 26, 2019, students across the District returned to school for the first day of
45 School Year 2019-2020. Weather reports suggest that the months of September and October will
46 include a number of sunny, cloudless days with warm weather, meaning students are likely to be
47 spending time outdoors and in the sun during gym class, recess, and for other school activities. As
48 a result, students without a signed medication action plan will be put at risk of long-term harm
49 whenever outdoors during the school day.

50 (f) Immediate legislative action is necessary to ensure that students are able to access
51 sunscreen products without a signed medication action plan during the first months of the school
52 year.

53 Sec. 3. The Council of the District of Columbia determines that the circumstances
54 enumerated in section 2 constitute emergency circumstances making it necessary that the School
55 Sunscreen Safety Emergency Amendment Act of 2019 be adopted after a single reading.

56 Sec. 4. This resolution shall take effect immediately.