

**RULES
OF
THE TENNESSEE DEPARTMENT OF MENTAL HEALTH
AND SUBSTANCE ABUSE SERVICES**

**CHAPTER 0940-06-03
DRUG OVERDOSE BY STUDENT**

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0940-06-03-.01 DEFINITIONS.

“Drug”, as used in these rules, means any of the substances treated as controlled substances under T.C.A. Title 39, Chapter 17, Part 4.

Authority: T.C.A. §§ 4-5-202 and 68-24-301 and Executive Order 44 (February 23, 2007).
Administrative History: Original rule filed August 17, 1997; effective October 27, 1997. Rule transferred from 1200-30-02 on May 15, 2008, pursuant to Executive Order 44 (February 23, 2007).

0940-06-03-.02 REQUIRED DATA ELEMENTS.

- (1) Who must report:
 - (a) Every physician or other medical professional who makes a diagnosis of or treats a person, who is believed to be enrolled in school in a K through 12 grade, for a drug overdose.
 - (b) Every chief administrative officer of a hospital, clinic, or dispensary in which there is a case of drug overdose of such a person.
- (2) Data to be reported: The following data for each reported overdose shall be provided to the appropriate public school superintendent on a form provided by the Tennessee Department of Health. Each report shall contain no other information.
 - (a) Type of drug
 - (b) Name of school in which student is enrolled
 - (c) Name and address of reporting authority

Authority: T.C.A. §§ 4-5-202 and 68-24-301 and Executive Order 44 (February 23, 2007).
Administrative History: Original rule filed August 7, 1997; effective October 27, 1997. Rule transferred from 1200-30-02 on May 15, 2008, pursuant to Executive Order 44 (February 23, 2007).

0940-06-03-.03 SUBMISSION TIME LINE.

All required data shall be submitted on the form provided by the Department of Health to the local school superintendent within seven (7) calendar days of the overdose.

Authority: T.C.A. §§ 4-5-202, 68-1-104(l), and 68-24-301 and Executive Order 44 (February 23, 2007). **Administrative History:** Original rule filed August 7, 1997; effective October 27, 1997. Rule transferred from 1200-30-02 on May 15, 2008, pursuant to Executive Order 44 (February 23, 2007).

0940-06-03-.04 PENALTY FOR FAILURE TO REPORT.

Any person who fails to perform the duties imposed by T.C.A. § 68-24-301 is guilty of professional misconduct and for that failure is subject to professional discipline by the licensing agency or employment disciplinary action by the employer.

Authority: T.C.A. §§ 4-5-202 and 68-24-301 and Executive Order 44 (February 23, 2007).

Administrative History: Original rule filed August 7, 1997; effective October 27, 1997. Rule transferred from 1200-30-02 on May 15, 2008, pursuant to Executive Order 44 (February 23, 2007).

0940-06-03-.05 CONFIDENTIAL INFORMATION.

- (1) All information reported under this part is confidential.
- (2) In no event may patient identifiers be collected.

Authority: T.C.A. §§ 4-5-202 and 68-24-301 and Executive Order 44 (February 23, 2007).

Administrative History: Original rule filed August 7, 1997; effective October 27, 1997. Rule transferred from 1200-30-02 on May 15, 2008, pursuant to Executive Order 44 (February 23, 2007).