

**RULES  
OF  
THE TENNESSEE DEPARTMENT OF MENTAL HEALTH  
AND DEVELOPMENTAL DISABILITIES**

**CHAPTER 0940-6-3  
DRUG OVERDOSE BY STUDENT**

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**0940-6-3-.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 1200-30-2 on May 15, 2008, pursuant to Executive Order 44 (February 23, 2007).

**0940-6-3-.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 1200-30-2 on May 15, 2008, pursuant to Executive Order 44 (February 23, 2007).

**0940-6-3-.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 1200-30-2 on May 15, 2008, pursuant to Executive Order 44 (February 23, 2007).

**0940-6-3-.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 1200-30-2 on May 15, 2008, pursuant to Executive Order 44 (February 23, 2007).

**0940-6-3-.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 1200-30-2 on May 15, 2008, pursuant to Executive Order 44 (February 23, 2007).