

Tulane University Medical Amnesty Program

Tulane University has the obligation to make mandatory medical referrals of students to the Substance Abuse Clinic at the Student Health Center for incidents related to alcohol and other drug-related emergencies. The potential for student conduct action by the University against the student in need of medical attention and/or the student reporting the incident may act as a barrier to students getting the medical attention they need. In order to alleviate the behavioral consequences associated with these alcohol and other drug-related emergencies, and increase the likelihood that students will get the medical attention they need, the University has developed a Medical Amnesty Program.

The Medical Amnesty Program (MAP) represents the University's commitment to increasing the likelihood that community members will call TEMS for medical assistance when faced with an alcohol or other drug-related emergency. Every student, as a part of the Tulane University community, has a responsibility for care. In alcohol or drug related incidents, the primary concern of the University is the well-being, health, and safety of students. The following offices collaborate to implement the MAP: TUPD, TEMS, Student Health Center, Student Conduct, Office of Fraternity and Sorority Programs, Office of Wellness Services, Department of Student Programs, and Department of Housing and Residence Life.

Medical Amnesty Program

In order for medical amnesty to be granted, a student or representative from an organization hosting an event is expected to promptly call TEMS for medical assistance in an alcohol or other drug-related emergency. There is no limit to the number of times a student can receive medical amnesty.

For the Person in Need of Medical Attention

A student transported by TEMS for alcohol or other drug-related emergency will be required to meet with a clinician from the Substance Abuse Clinic at the Student Health Center. There is an assessment fee and the student will have a required time frame by which the meeting must occur. The student must show up for the meeting and comply with the recommendation(s) of the clinician or face additional penalties. In no case will these additional penalties result in a student conduct case for the student.

A student who is not transported by TEMS may be referred to the Substance Abuse Clinic at the Student Health Center at the discretion of staff in the Office of Student Conduct or the Department of Housing and Residence Life after reviewing the report and meeting with the student.

The student will not be charged with a Code of Student Conduct violation related to the underage consumption of alcohol (III.A.6) or use of drugs (III.A.4) as a result of the incident. However, Medical Amnesty does not preclude students from being

Tulane University Medical Amnesty Program

charged with other violations of the Code of Student Conduct related to the incident (i.e., property damage, assault, fighting).

There is no limit to the number of times a student can receive medical attention and be immune from the Code of Student Conduct violations mentioned above. This does not preclude TUPD or New Orleans Police Department (NOPD) from making an arrest for alcohol or drugs or charges being filed by NOPD if they are at the scene. However, Tulane authorities will not notify NOPD of the incident as a result of a call for medical attention unless NOPD's assistance is needed to resolve criminal activity unrelated to the alcohol or drug use.

For the Caller

A student, who can be anonymous, calls for medical assistance on behalf of someone else will not be subject to student conduct sanctions for the following Code of Student Conduct violations in relation to the incident:

- III.A.4 – Unauthorized use and/or possession of any controlled substance or illegal drug
- III.A.6 – Use, possession, or distribution of alcoholic beverages in violation of the Tulane Alcohol Beverage Policy

There is no limit to the number of times a student can call on behalf of someone else who needs medical attention and be immune from the Code of Student Conduct violations mentioned above. This does not preclude TUPD or New Orleans Police Department (NOPD) from making an arrest for alcohol or drugs or charges being filed by NOPD if they are at the scene. However, Tulane authorities will not notify NOPD of the incident as a result of a call for medical attention unless NOPD's assistance is needed to resolve criminal activity unrelated to the alcohol or drug use.

For the Organization

A representative of a student organization hosting an event is expected to call TEMS in an alcohol or other drug-related emergency. This act of responsibility will mitigate potential student conduct sanctions against the organization resulting from Code of Student Conduct violations that may have occurred at the time of the incident. Likewise, failure to call for medical assistance in an alcohol or other drug-related emergency will be considered an "aggravating circumstance" and may impact the sanction levied against the organization if a violation of the Code of Student Conduct has occurred (i.e., property damage, assault, fighting).

For non fraternal organizations – Appropriate event management and participation in responsible host training will be taken into consideration when potential student conduct sanctions against the organization is considered by ASB or the Office of Student Conduct.

Tulane University Medical Amnesty Program

For fraternities and sororities – Appropriate event management and adherence to established guidelines will be taken into consideration when potential student conduct sanctions against the organization is considered by the IFC or Panhellenic Conduct Boards (i.e., registered event, no common sources).

FAQs About Medical Amnesty

What is an alcohol or drug-related emergency?

A drug or alcohol related emergency is defined as any person whose health status is potentially at risk due to the intake of drugs or alcohol. This includes but is not limited to excessive vomiting, seizures, disorientation, or unresponsiveness.

Does this mean that Tulane University encourages students to drink?

No. Medical Amnesty recognizes that students can make irresponsible choices about the use of alcohol and other drugs and that if something goes wrong as a result of that irresponsibility the student can get the required medical emergency medical attention without fear of “getting in trouble” or the incident appearing on his or her conduct record.

Some students are afraid to call TEMS because they will get in trouble. How does this policy alleviate this?

The Medical Amnesty Program is designed to remove any behavioral consequences associated with an alcohol or drug-related emergency from the student needing medical attention and the person who makes the call. A conduct file is not created when the Medical Amnesty Protocol is followed. However, a student will still be required to complete an evaluation at the Substance Abuse Clinic at the Student Health Center as a follow-up to the incident. While this may be considered getting “in trouble” by some students, Tulane University is committed to health and safety of students, which is why there is a required assessment in the Student Health Center. Doing absolutely no follow-up with a student after an alcohol or drug-related emergency would be irresponsible on the part of the University.

Then TEMS calls really aren't confidential if a student is required to go to the Student Health Center?

TEMS calls are confidential in terms of the diagnosis and treatment given to students in need of medical assistance. However, TUPD and other witnesses are often present while TEMS is doing its work and it is sometimes easy to tell that a student is severely intoxicated or otherwise impaired. If TUPD is on the scene a report is written based on what the officer observes **not** from TEMS as the treatment is confidential. TEMS calls are confidential yet the presence of TUPD or other witnesses may compromise confidentiality.

Why are organizations not provided the same level of amnesty as an individual?

Student organizations are held to higher standards because of the guidelines associated with their registration and that several organizations have governing

**Tulane University
Medical Amnesty Program**

boards or national organizations to whom they are also accountable. There may also be other factors associated with the event that need to be investigated which is why there is no automatic amnesty for organizations.

Are students really guaranteed that there will be no student conduct action?

Yes. Even if students fail to attend the mandatory evaluation other penalties will be levied until the student meets with a clinician at the Student Health Center including but not limited to fines, blocked registration, or parental notification. The University wants to separate actions associated with a violation of the Code of Student Conduct from actions associated with student health and safety. There will be no student conduct file and this will not impede students from enrolling in graduate or professional schools in the future.

What is the jurisdiction of this policy?

This policy applies to students who are transported by TEMS on or off campus. A student who requires medical assistance and is transported by NOPD or NOHD for an alcohol or other drug-related emergency off-campus is also eligible for medical amnesty.

Will my parents find out?

As a general rule, your parents will not be notified. However, your parents may be notified if your alcohol or drug-related emergency is life threatening and/or you fail to meet with a clinician in the Student Health Center or follow through with his or her recommendation(s).

What kind of assessment do I need to complete at the Student Health Center?

Students will undergo an initial assessment that includes, but is not limited to, a clinical interview, a review of the alcohol or other drug-related emergency, and an assessment instrument such as the Alcohol Use Disorders Identification Test (AUDIT) and Drug Abuse Screening Test (DAST). Based on the findings from this initial assessment, recommendations will be made for the appropriate level of intervention.

Do the results of the meeting at the Student Health Center become part of my medical records?

Yes. However, records maintained by clinicians are subject to patient-client confidentiality. The results of the assessment or the content of the conversation with a clinician will not be shared with anyone. The only information that will be shared with the referral source (i.e. Student Affairs or HRL) will be confirmation that the student attended the session and that he/she followed through with any recommendations that were made.

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