

HOUSE RESEARCH

Bill Summary

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Authors: Klinzing and others

Subject: Allowing students to use nonsyringe injectors of epinephrine in school

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Overview

Epinephrine, also known as adrenaline, is available as an orally inhaled, nonprescription drug to relieve temporary shortness of breath, chest tightness, and wheezing due to bronchial asthma. This bill proposes to allow students to use nonsyringe injectors of epinephrine in school under certain circumstances.

Section

- 1 Exclusions.** Allows students to administer prescription nonsyringe injectors of epinephrine if the parent and prescribing medical professional annually inform the school in writing that (i) the student may possess the epinephrine or (ii) the pupil is unable to possess the epinephrine and requires immediate access to nonsyringe injectors of epinephrine that the parent provides properly labeled to the school as needed.
- 2 Possession and use of nonsyringe injectors of epinephrine; model policy.** (a) Directs a student's parent, school staff, and the prescribing medical professional each year to develop and implement an individualized written health plan for a student who is prescribed nonsyringe injectors of epinephrine that enables the student to possess or have immediate access to the epinephrine. Requires the plan to designate school staff responsible for implementing the plan and allows the plan to be included in the student's 504 plan.

(b) Defines school to include public schools and nonpublic schools that are subject to the Americans with Disabilities Act. Encourages other nonpublic schools to comply with this section.

Section

(c) Declares a school district and its agents and employees immune from liability for acts or failures to act, made in good faith, in implementing this section, except in cases of gross negligence or intentional misconduct.

(d) Allows the education commissioner to develop a model policy and health plan form that assess a student's ability to safely possess epinephrine, identify staff training needs, accommodate a student's need to possess or have immediate access to epinephrine, and ensure that the student's parent provides the school with properly labeled nonsyringe injectors of epinephrine for the student as needed.

Makes this section effective for the 2004-2005 school year and later.