



General Assembly

January Session, 2019

Committee Bill No. 706

LCO No. 4197



Referred to Committee on PUBLIC HEALTH

Introduced by:
(PH)

AN ACT CONCERNING EPINEPHRINE AUTO INJECTORS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2019*) (a) As used in this section
2 and sections 4 to 5, inclusive, of this act, "epinephrine cartridge
3 injector" means an automatic prefilled cartridge injector or similar
4 automatic injectable equipment used to deliver epinephrine in a
5 standard dose for emergency first aid response to allergic reactions.

6 (b) Any person who has completed a course in first aid offered by
7 any organization approved by the Department of Public Health, said
8 department or any director of health, and is certified by the
9 organization, department or director of health offering the course, or
10 has been trained in the use of an epinephrine cartridge injector by a
11 licensed physician, physician assistant, advanced practice registered
12 nurse or registered nurse, and who in good faith believes that another
13 person is experiencing an allergic reaction may, if acting with
14 reasonable care, administer an epinephrine cartridge injector to such
15 other person. In accordance with subsection (h) of section 52-557b of
16 the general statutes, any person, other than a licensed health care

17 provider acting in the ordinary course of such person's employment,
18 who administers epinephrine in accordance with this subsection shall
19 not be liable for damages in a civil action or subject to criminal
20 prosecution with respect to the administration of such epinephrine.

21 Sec. 2. (NEW) (*Effective October 1, 2019*) (a) A prescribing
22 practitioner, as defined in section 20-14c of the general statutes, who is
23 authorized to prescribe an epinephrine cartridge injector and a
24 pharmacy may enter into an agreement for a medical protocol
25 standing order at such pharmacy allowing a pharmacist, licensed
26 under part II of chapter 400j of the general statutes, to dispense an
27 epinephrine cartridge injector to any person experiencing an allergic
28 reaction or to a family member, friend or other person in a position to
29 assist a person experiencing an allergic reaction.

30 (b) Any such medical protocol standing order shall be deemed
31 issued for a legitimate medical purpose in the usual course of the
32 prescribing practitioner's professional practice. The pharmacy shall
33 provide the Department of Consumer Protection with a copy of every
34 medical protocol standing order agreement entered into with a
35 prescribing practitioner under this section.

36 (c) A pharmacist may only dispense an epinephrine cartridge
37 injector pursuant to a medical protocol standing order if the
38 pharmacist has been trained and certified as part of a program
39 approved by the Commissioner of Consumer Protection.

40 (d) A pharmacist who dispenses an epinephrine cartridge injector
41 pursuant to a medical protocol standing order shall (1) provide
42 appropriate training regarding the administration of such epinephrine
43 cartridge injector to the person to whom the epinephrine cartridge
44 injector is dispensed, (2) maintain a record of such dispensing and the
45 training required pursuant to chapter 400j of the general statutes, and
46 (3) send a copy of the record of such dispensing to the prescribing
47 practitioner who entered into an agreement for a medical protocol
48 standing order with the pharmacy.

49 (e) A pharmacist who dispenses an epinephrine cartridge injector in
50 accordance with the provisions of this section shall be deemed not to
51 have violated any standard of care for a pharmacist.

52 (f) The Commissioner of Consumer Protection may adopt
53 regulations, in accordance with chapter 54, to implement the
54 provisions of this section.

55 Sec. 3. (NEW) (*Effective October 1, 2019*) (a) A licensed health care
56 provider who is permitted by law to prescribe an epinephrine
57 cartridge injector may prescribe or dispense an epinephrine cartridge
58 injector to any individual to treat an allergic reaction without being
59 liable for damages in a civil action or subject to criminal prosecution
60 for prescribing or dispensing such epinephrine cartridge injector or for
61 any subsequent use of such epinephrine cartridge injector. A licensed
62 health care provider who prescribes or dispenses an epinephrine
63 cartridge injector in accordance with the provisions of this subsection
64 shall be deemed not to have violated the standard of care for such
65 licensed health care provider.

66 (b) A licensed health care provider may administer an epinephrine
67 cartridge injector to any person to treat an allergic reaction. Such
68 licensed health care provider who administers an epinephrine
69 cartridge injector in accordance with the provisions of this subsection
70 shall not be liable for damages in a civil action or subject to criminal
71 prosecution for administration of such epinephrine cartridge injector
72 and shall not be deemed to have violated the standard of care for such
73 licensed health care provider.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	New section
Sec. 2	<i>October 1, 2019</i>	New section
Sec. 3	<i>October 1, 2019</i>	New section

Statement of Purpose:

To increase access to epinephrine auto injectors.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. LESSER, 9th Dist.; REP. COMEY, 102nd Dist.
REP. PHIPPS, 100th Dist.; REP. ELLIOTT, 88th Dist.
REP. MICHEL, 146th Dist.

S.B. 706