

# HOUSE BILL No. 1429

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-34-4.5; IC 34-30-2-85.6.

**Synopsis:** School bus drivers and emergency medication. Allows a school bus driver to administer emergency stock medication to: (1) a student at the school; (2) a school employee; or (3) a visitor at the school; if the school bus driver has been trained by a health care provider to recognize a life threatening emergency and properly administer emergency medication.

**Effective:** July 1, 2021.

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## Bauer M, Hamilton, Clere

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January 14, 2021, read first time and referred to Committee on Education.

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First Regular Session of the 122nd General Assembly (2021)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2020 Regular Session of the General Assembly.

## HOUSE BILL No. 1429

A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 20-34-4.5-0.7 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2021]: **Sec. 0.7. As used in this chapter,**  
4 **"school bus driver" has the meaning set forth in IC 20-27-2-9.**

5 SECTION 2. IC 20-34-4.5-2, AS AMENDED BY P.L.117-2017,  
6 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
7 JULY 1, 2021]: Sec. 2. (a) A school nurse may administer emergency  
8 stock medication obtained under section 1 of this chapter to any of the  
9 following individuals if the individual is demonstrating signs or  
10 symptoms of a life-threatening emergency and the individual does not  
11 have emergency medication at the school or the individual's  
12 prescription is not available:

- 13 (1) Students at the school.  
14 (2) School employees.  
15 (3) Visitors at the school.

16 (b) School employees **and school bus drivers** may administer  
17 emergency stock medication obtained under section 1 of this chapter



- 1 if the following are met:
- 2 (1) The school employee **or school bus driver** has voluntarily
- 3 received training in:
- 4 (A) recognizing a life-threatening emergency; and
- 5 (B) the proper administration of emergency medication;
- 6 by a health care provider who is licensed or certified in Indiana,
- 7 for whom the administration of emergency medication is within
- 8 the health care provider's scope of practice, who has received
- 9 training in the administration of emergency medication, and who
- 10 is knowledgeable in recognizing the symptoms of a
- 11 life-threatening emergency and the administration of emergency
- 12 medication.
- 13 (2) The individual to whom the emergency stock medication is
- 14 being administered is:
- 15 (A) a student at the school;
- 16 (B) a school employee; or
- 17 (C) a visitor at the school.
- 18 SECTION 3. IC 20-34-4.5-4, AS AMENDED BY P.L.28-2019,
- 19 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 20 JULY 1, 2021]: Sec. 4. (a) A school nurse, ~~or~~ school employee, **or**
- 21 **school bus driver** who administers an emergency stock medication in
- 22 accordance with the manufacturer's guidelines and with this chapter is
- 23 not liable for civil damages resulting from the administration of the
- 24 emergency stock medication under this chapter unless the act or
- 25 omission constitutes gross negligence or willful or wanton misconduct.
- 26 (b) A health care provider described in section 3 of this chapter
- 27 who:
- 28 (1) writes; or
- 29 (2) transmits in an electronic format for an electronically
- 30 transmitted prescription;
- 31 a prescription, drug order, or protocol under this chapter is not liable
- 32 for civil damages resulting from the administration of an emergency
- 33 stock medication under this chapter.
- 34 (c) A health care provider described in section 2(b)(1) of this
- 35 chapter who provides training to school employees **or school bus**
- 36 **drivers** under this chapter is not liable for civil damages resulting from
- 37 the administration of an emergency stock medication.
- 38 SECTION 4. IC 20-34-4.5-6, AS ADDED BY P.L.117-2017,
- 39 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 40 JULY 1, 2021]: Sec. 6. A school employee **or school bus driver**
- 41 described in section 2(b)(1) of this chapter or a school nurse shall:
- 42 (1) make a report when an emergency stock medication is



1 administered; and  
2 (2) submit the report to the department in an electronic format not  
3 later than ten (10) school days after the emergency stock  
4 medication is administered.

5 SECTION 5. IC 34-30-2-85.6, AS AMENDED BY P.L.117-2017,  
6 SECTION 15, IS AMENDED TO READ AS FOLLOWS: Sec. 85.6.  
7 IC 20-34-4.5-4 (Concerning school nurses, school employees, **school**  
8 **bus drivers**, and health care providers and the administration of  
9 emergency stock medication).

