SENATE ENROLLED ACT No. 245

AN ACT to amend the Indiana Code concerning education.

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

SECTION 1. IC 20-34-4.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]:

Chapter 4.5. Auto-Injectable Epinephrine

Sec. 1. (a) A school may fill a prescription for auto-injectable epinephrine and store the auto-injectable epinephrine in the school if a health care provider who is licensed in Indiana and whose scope of practice includes the prescribing of medication writes the prescription for auto-injectable epinephrine for the school or school district.

(b) The school shall store the auto-injectable epinephrine in a safe location in which only school personnel have access.

Sec. 2. (a) A school nurse may administer auto-injectable epinephrine obtained under section 1 of this chapter to any of the following individuals if the individual is demonstrating signs or symptoms of life-threatening anaphylaxis and the individual does not have epinephrine at the school or the individual's prescription is not available:

(1) Students at the school.
(2) School personnel.
(3) Visitors at the school.

(b) School employees may administer auto-injectable
epinephrine obtained under section 1 of this chapter if the following are met:

(1) The school employee has voluntarily received training in:
   (A) recognizing anaphylaxis; and
   (B) the proper administration of auto-injectable epinephrine;

by a health care provider who is licensed or certified in Indiana, for whom the administration of auto-injectable epinephrine is within the health care provider's scope of practice, who has received training in the administration of auto-injectable epinephrine, and who is knowledgeable in recognizing the symptoms of anaphylaxis and the administration of auto-injectable epinephrine.

(2) The individual to whom the epinephrine is being administered is:
   (A) a student at the school;
   (B) a member of school personnel; or
   (C) a visitor at the school.

Sec. 3. (a) A health care provider who is licensed in Indiana and whose scope of practice includes the prescribing of medication may write a prescription, drug order, or protocol for auto-injectable epinephrine for the school or school district.

(b) A pharmacist licensed under IC 25-26 may dispense a valid prescription, drug order, or protocol for auto-injectable epinephrine issued in the name of a school or school district.

Sec. 4. (a) A school nurse or school employee who administers auto-injectable epinephrine in accordance with the manufacturer's guidelines and with this chapter is not liable for civil damages resulting from the administration of auto-injectable epinephrine under this chapter unless the act or omission constitutes gross negligence or willful or wanton misconduct.

(b) A licensed health care provider who:
   (1) writes a prescription, drug order, or protocol under this chapter; or
   (2) provides training to school personnel under this chapter; is not liable for civil damages resulting from the administration of auto-injectable epinephrine under this chapter.

SECTION 2. IC 34-30-2-85.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 85.6. IC 20-34-4.5-4 (Concerning school nurses, school personnel, and health care providers and the administration of auto-injectable epinephrine).
President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: ________________  Time: ________________