

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 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

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

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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: _____

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