

RÉSUMÉ DIGEST

ACT 335 (HB 417)

2022 Regular Session

Hilferty

Existing law requires the governing authority of each public elementary and secondary school to adopt a policy authorizing a school nurse or trained school employee to administer auto-injectable epinephrine to a student whom the nurse or employee believes is having an anaphylactic reaction, whether or not the student has a prescription for epinephrine.

New law requires the head of each early learning center to adopt such a policy regarding administration of auto-injectable epinephrine by trained early learning center employees. Existing law classifies the following as early learning centers: a child day care center that cares for seven or more children for at least 12.5 hours per week, an Early Head Start Center, a Head Start Center, or a prekindergarten program not attached to a school.

Existing law regarding public elementary and secondary schools and new law regarding early learning centers:

- (1) Requires that at least one employee of each school or center receive training in the administration of auto-injectable epinephrine.
- (2) Provides that epinephrine be administered under a standing protocol from a physician licensed to practice medicine in the state.
- (3) Authorizes each school or center to maintain a supply of auto-injectable epinephrine in a locked, secure, and easily accessible location.
- (4) Provides relative to informing parents about the epinephrine policy.

Existing law regarding elementary and secondary schools requires that training in administering epinephrine be provided by a registered nurse or licensed physician. New law provides that such training may also be provided by an anaphylaxis training organization.

New law regarding early learning centers requires that training in administering epinephrine be provided by a registered nurse, a licensed physician, an anaphylaxis training organization, a child care health consultant, or an entity approved by the Dept. of Health.

New law defines anaphylaxis training organization as a nationally recognized organization that provides anaphylaxis education or a training program whose leadership includes a physician authorized to practice medicine and surgery or osteopathic medicine and surgery and who is board-certified in allergy and immunology as that designation is issued by a medical specialty certifying board recognized by the American Bd. of Medical Specialties or American Osteopathic Assoc.

New law regarding early learning centers exempts the following from liability for damages from an act or omission associated with epinephrine training unless the act or omission constitutes willful or wanton misconduct:

- (1) The early learning center.
- (2) An employee of a center.
- (3) A licensed health professional who personally furnishes or prescribes epinephrine auto-injectors to or consults with an early learning center.
- (4) An anaphylaxis training organization and its personnel.

Effective August 1, 2022.

(Amends R.S. 17:436.1(K)(1); Adds R.S. 17:407.50.2)