

SENATE BILL NO. 119

BY SENATOR MORRELL

1 AN ACT

2 To enact R.S. 17:436.1(K), relative to the administration of medication to public school
3 students; to require public school governing authorities to adopt a policy allowing
4 school nurses and trained school employees to administer certain medication to
5 students under certain circumstances; to provide for definitions; to provide for
6 notification of policy; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:436.1(K) is hereby enacted to read as follows:

9 §436.1. Administration of medication; definition; conditions; restrictions

10 * * *

11 **K.(1) Notwithstanding any provision of law or any rule, regulation, or**
12 **policy to the contrary, the governing authority of each public elementary and**
13 **secondary school shall adopt a policy authorizing a school nurse or trained**
14 **school employee to administer auto-injectable epinephrine, as defined in**
15 **Subparagraph (J)(4)(a) of this Section, to a student who the school nurse or**
16 **trained school employee, in good faith, professionally believes is having an**
17 **anaphylactic reaction, whether or not such student has a prescription for**
18 **epinephrine. At least one employee at each school shall receive training from**
19 **a registered nurse or a licensed medical physician in the administration of auto-**
20 **injectable epinephrine. The school nurse or trained employee may administer**
21 **the auto-injectable epinephrine to respond to a student's anaphylactic reaction,**
22 **under a standing protocol from a physician licensed to practice medicine in the**
23 **state.**

24 **(2) Each public elementary and secondary school may maintain a supply**
25 **of auto-injectable epinephrine at the school in a locked, secure, and easily**
26 **accessible location. A licensed physician may prescribe epinephrine auto-**
27 **injectors in the name of the school system or the individual school to be**

1 maintained for use when deemed necessary pursuant to the provisions of this
2 Subsection.

3 (3) Each school shall include the policy required by this Subsection in
4 its student handbook and post such policy on the school's website, if it has one.
5 Such policy shall also be disclosed to any parent or other legal guardian who
6 notifies the school in which the student is enrolled, in writing, that the student
7 has an allergy or other condition which puts him at risk of anaphylaxis.

8 Section 2. This Act shall become effective upon signature by the governor or, if not
9 signed by the governor, upon expiration of the time for bills to become law without signature
10 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
11 vetoed by the governor and subsequently approved by the legislature, this Act shall become
12 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____