

HOUSE No. 1843

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce J. Ayers

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act enabling trained school personnel to administer life saving epinephrine treatment.

PETITION OF:

NAME:

Bruce J. Ayers

Jonathan Hecht

DISTRICT/ADDRESS:

1st Norfolk

29th Middlesex

HOUSE No. 1843

By Mr. Ayers of Quincy, a petition (accompanied by bill, House, No. 1843) of Bruce J. Ayers and Jonathan Hecht relative to emergency epinephrine pens in schools. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1132 OF 2017-2018.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act enabling trained school personnel to administer life saving epinephrine treatment.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1: Section 54B of Chapter 71, as appearing in the 2014 Official Edition, is
2 hereby amended by inserting the following after the word "lunchrooms":-

3 A public school district or non-public school, as defined by the department of education,
4 may register with the department for the purpose of permitting school personnel to administer
5 epinephrine by auto injector in a life-threatening situation during the school day when a school
6 nurse is not immediately available, including field trips, provided that the following conditions
7 are met:

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9 1. the school committee, or, in the case of a non-public school, the chief
10 administrative officer, approves policies governing the administration of epinephrine;

11 2. the designated school nurse leader or responsible nurse has final decision making
12 authority about the program;

13 3. the school personnel authorized to administer epinephrine by auto injector are
14 trained and tested for competency by the designated school nurse leader or responsible school
15 nurse, or school nurses designated by this person, in accordance with standards and a curriculum
16 established by the department;

17 4. the designated school nurse leader or responsible school nurse manages and has
18 final decision making authority about the program;

19 5. the epinephrine is administered for an emergency case of anaphylactic shock, as
20 deemed by a properly trained and authorized school personnel, or in accordance with an
21 individual medication administration plan;

22 6. when epinephrine is administered, there shall be immediate notification of the
23 local emergency medical services system, followed by notification of the student's parent(s) or
24 guardian(s) or, if the parent(s) or guardian(s) are not available, any other designated person(s),
25 the school nurse, the student's physician, and the school physician, to the extent possible;

26 Any school personnel, properly trained and authorized to administer epinephrine, who
27 provides, administers, or assists in the administration of epinephrine to a student believed in
28 good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not
29 be liable for any civil damages for ordinary negligence in acts or omissions resulting from the
30 rendering of such treatment.

31 Epinephrine may lawfully be prescribed and dispensed to a public school district or non-
32 public school registered with the Department. For purposes of this chapter, any such prescription
33 shall be regarded as being issued for a legitimate medical purpose in the usual course of
34 professional practice. The school district or nonpublic school may maintain said epinephrine kit
35 in a secure but unlocked place, as determined by the school nurse leader or responsible school.