

HOUSE No. 556

The Commonwealth of Massachusetts

PRESENTED BY:

Daniel Cahill

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 relative to emergency stock supply of epinephrine in schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Daniel Cahill</i>	<i>10th Essex</i>	<i>2/12/2021</i>

HOUSE No. 556

By Mr. Cahill of Lynn, a petition (accompanied by bill, House, No. 556) of Daniel Cahill relative to emergency stock supply of epinephrine in schools. Education.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to emergency stock supply of epinephrine in schools.

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 8A of Chapter 69 of the General Laws is hereby amended by
2 inserting in line 25 after the word "resuscitation":-", the administration of auto injectors,"

3 SECTION 2. Section 54B of chapter 71 of the General Laws is hereby amended by
4 striking the third paragraph and inserting in place thereof the following two paragraphs:—

5 Notwithstanding any general or special law or regulation to the contrary, each school
6 shall, subject to appropriation, maintain a stock supply of non-patient specific epinephrine auto
7 injectors available to all students, including students with individualized health care plans
8 prescribing epinephrine injections, to be administered in the event of an anaphylactic emergency.

9 The department of public health shall promulgate regulations requiring school districts to adopt
10 and implement policies pursuant to this section. Such regulations shall require that stock
11 epinephrine auto injectors be stored in an easily accessible unlocked location, the number and
12 type of epinephrine auto injectors required be based on school population, that the individuals

13 authorized to administer epinephrine meet certain training requirements for such administration,
14 including the use of epinephrine dose calculation devices, and that the stock inventory be
15 checked at regular intervals for expiration and replacement. A school nurse or other authorized
16 individual who provides, administers, or assists in the administration of epinephrine to a student
17 believed in good faith to be having an anaphylactic reaction shall not be liable for any civil
18 damages for negligence in acts or omissions resulting from the rendering of such treatment.
19 Whenever any employee of a school district is covered by the immunity granted herein, the
20 school district employing the individual shall not be liable for any civil damages for negligence
21 in acts or omissions resulting from the rendering of such treatment.

22 Notwithstanding any general or special law to the contrary, the cost of supplying
23 nonpatient specific epinephrine auto injectors to schools pursuant to this section shall be assessed
24 on surcharge payers as defined by section 64 of chapter 118E and may be collected in a manner
25 consistent with said chapter 118. All surcharge revenue generated under this section shall be
26 collected in a manner consistent with said chapter and department of public health regulation.