HOUSE No. 556

The Commonwealth of Massachusetts

PRESENTED BY:

Edward R. Philips

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 undesignated glucagon rescue therapies in schools.

PETITION OF:

NAME:DISTRICT/ADDRESS:DATE ADDED:Edward R. Philips8th Norfolk1/19/2023

HOUSE No. 556

By Representative Philips of Sharon, a petition (accompanied by bill, House, No. 556) of Edward R. Philips relative to undesignated glucagon rescue therapies in schools. Education.

The Commonwealth of Alassachusetts

In the One Hundred and Ninety-Third General Court (2023-2024)

An Act relative to undesignated glucagon rescue therapies 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:

- SECTION 1: The General Laws, as appearing in the 2020 Official Edition, are hereby
- 2 amended by inserting after section 54B of chapter 71 the following section:-
- 3 SECTION 54B1/2. UNDESIGNATED GLUCAGON RESCUE THERAPIES
- 4 (a) For the purposes of this section, the following terms shall have the following 5 meanings unless the context clearly requires otherwise:
- "Diabetes care plan", a document that specifies the diabetes-related services needed by a student at school and at school-sponsored activities and identifies the appropriate staff to provide and supervise these services.
- "Health care provider", a physician licensed to practice medicine in all of its branches,
 advanced practice registered nurse who has a written agreement with a collaborating physician
 who authorizes the provision of diabetes care, or a physician assistant who has a written

- supervision agreement with a supervising physician who authorizes the provision of diabetes care.
- 14 "Principal", the principal of the school.

- "School", any primary or secondary public school located in the Commonwealth.
 - "School personnel", a person who is employed by a public school district, a person who is employed by a local health department and assigned to a school, or a person who contracts with a school or school district to perform services in connection with a student's diabetes care plan.
 - "Ready-to-use undesignated glucagon rescue therapy", a glucagon rescue therapy approved by the U.S. Food and Drug Administration that does not require reconstitution for the treatment of severe hypoglycemia in a dosage form that can be rapidly administered to the patient in an emergency.
 - (b) A school district shall obtain a standing order of ready-to-use undesignated glucagon rescue therapy in which a licensed health care provider with the authority to prescribe ready-to-use glucagon rescue therapy may prescribe ready-to-use glucagon rescue therapy in the name of the school district or school to be maintained for use when necessary. Ready-to-use undesignated glucagon rescue therapy prescriptions must be accompanied by a standing order for the administration of school supplied, ready-to-use undesignated glucagon rescue therapy for potentially severe hypoglycemic reactions.
 - (c) A school may maintain a supply of a ready-to-use undesignated glucagon rescue therapy in any secure location that is immediately accessible to school personnel. Any supply of

ready-to-use undesignated glucagon rescue therapies must be maintained in accordance with the manufacturer's instructions. School personnel may administer a ready-to-use undesignated glucagon rescue therapy that does not require reconstitution if the student's prescribed glucagon is not available on-site or has expired.

- (d) Ready-to-use undesignated glucagon rescue therapies may be used on school property, including the school building, playground, and school bus, as well as during field trips or sanctioned excursions away from school property.
- (e) If a student is injured or harmed due to the administration of ready-to-use undesignated glucagon rescue therapy that a licensed health professional with prescribing authority has prescribed and a pharmacist has dispensed to a school under this section, the licensed health professional with prescribing authority and pharmacist may not be held responsible for the injury unless he or she issued the prescription with a conscious disregard for safety.
- (f) In the event school personnel administers ready-to-use undesignated glucagon rescue therapy to a student who the nurse in good faith believes to be experiencing a severe hypoglycemic reaction and administers the medication in accordance with the written policies of the school district, then the school personnel, the school district or school of employment, and the members of the governing board and chief administrator thereof are not liable in any criminal action or for civil damages in their individual, marital, governmental, corporate, or other capacity as a result of providing the glucagon.
- (g) Immediately after the administration of undesignated glucagon, a school must call 911 for emergency assistance and notify the school nurse, unless the school nurse was the one

- administering the undesignated glucagon, and the student's parent or guardian or emergency
- 56 contact, if known, and health care provider of its use.