
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 710 Session of
2015

INTRODUCED BY SMITH, BLAKE, COSTA, TEPLITZ, TARTAGLIONE,
RAFFERTY, YUDICHAK AND BROWNE, APRIL 8, 2015

REFERRED TO PUBLIC HEALTH AND WELFARE, APRIL 8, 2015

AN ACT

1 Requiring the Department of Health to adopt regulations for the
2 approval of training programs relating to the possession and
3 administration of epinephrine in emergency situations;
4 authorizing certain individuals to obtain a prescription for,
5 purchase and administer epinephrine in emergency situations;
6 and limiting liability.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Short title.

10 This act shall be known and may be cited as the Food Allergy
11 Emergency Administration Standards Act.

12 Section 2. Definitions.

13 The following words and phrases when used in this act shall
14 have the meanings given to them in this section unless the
15 context clearly indicates otherwise:

16 "Department." The Department of Health of the Commonwealth.

17 "Emergency situation." A circumstance where an individual
18 experiences or appears to experience a severe allergic reaction,
19 including anaphylaxis, that requires the administration of
20 epinephrine to avoid serious injury or death and where a

1 certified or licensed health care provider authorized to
2 administer epinephrine is not reasonably available.

3 Section 3. Administration of epinephrine in emergency
4 situations.

5 A person who is 18 years of age or older may obtain a
6 prescription for, purchase and, in an emergency situation,
7 administer epinephrine by an auto-injector if that person has
8 successfully completed a training program approved by the
9 department.

10 Section 4. Duties of Department of Health.

11 (a) Regulations.--The department shall promulgate
12 regulations for the establishment of training programs for the
13 use of epinephrine auto-injectors.

14 (b) Training program requirements.--The training program for
15 the use of epinephrine auto-injectors shall include training in
16 the following:

17 (1) recognizing the symptoms of severe asthmatic or
18 allergic reactions, including anaphylaxis;

19 (2) standards and procedures for the storage of
20 epinephrine auto-injectors; and

21 (3) emergency follow-up procedures.

22 Section 5. Liability.

23 When an individual who has completed a mandatory training
24 program in accordance with section 4 administers an epinephrine
25 auto-injector to an individual in an emergency situation, the
26 public sector entity providing the epinephrine auto-injector,
27 the entity's employees and agents and the physician providing
28 standing protocol or prescription for the epinephrine auto-
29 injector shall not be liable, except for willful and wanton
30 conduct, for any injury arising from the use of the epinephrine

1 auto-injector regardless of whether the individual exhibiting
2 the allergic or anaphylactic reaction, or the parents or
3 guardian of the individual, have provided authorization.

4 Section 6. Effective date.

5 This act shall take effect in 60 days.