

**2021 -- H 5080**

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**S T A T E   O F   R H O D E   I S L A N D**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2021**

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**A N   A C T**

**RELATING TO HEALTH AND SAFETY -- LIFE-SAVING ALLERGY MEDICATION--  
STOCK SYRINGE EPINEPHRINE AUTO-INJECTORS--EMERGENCY ADMINISTRATION**

Introduced By: Representative Joseph J. Solomon

Date Introduced: January 22, 2021

Referred To: House Health, Education & Welfare

(by request)

It is enacted by the General Assembly as follows:

1        SECTION 1. Sections 23-6.4-1 and 23-63.4-6 of the General Laws in Chapter 23-6.4  
2        entitled "Life-Saving Allergy Medication - Stock Supply of Epinephrine Auto-Injectors -  
3        Emergency Administration" are hereby amended to read as follows:

4        **23-6.4-1. Definitions.**

5        As used in this chapter:

6        (1) "Administer" means the direct application of an epinephrine auto-injector to the body  
7        of an individual.

8        (2) "Authorized entity" means any entity or organization at, or in connection with, where  
9        allergens capable of causing anaphylaxis may be present, as identified by the department of health.  
10      The department shall, through rule or other guidance, identify the types of entities and organizations  
11      that are considered authorized entities no later than January 1, 2015, and shall review and update  
12      such rule or guidance at least annually thereafter.

13      (3) "Authorized health care provider" means a physician, nurse, or other person duly  
14      authorized by law, in the state in which they practice, to prescribe drugs.

15      (4) "Epinephrine auto-injector" means a single-use device used for the automatic injection  
16      of a premeasured dose of epinephrine into the human body.

17      (5) "Provide" means the supplying of one or more epinephrine auto-injectors to an  
18      individual.

1                   (6) "Public place" means an enclosed area capable of holding three hundred (300) people  
2                   or more and to which the public is invited or in which the public is permitted, including, but not  
3                   limited to: banks; bars; educational facilities; health care facilities; laundromats; public  
4                   transportation facilities; reception areas; restaurants; retail food production and marketing  
5                   establishments; retail service establishments; retail stores; shopping malls; sports arenas;  
6                   government offices; theaters; and waiting rooms. A private residence is not a "public place" unless  
7                   it is used as a child care, adult daycare, or health care facility.

8                   (6)(7) "Self-administration" means a person's discretionary use of an epinephrine auto-  
9                   injector.

10                   **23-6.4-6. Training.**

11                   (a) An employee, agent, or other individual described in § 23-6.4-4 must complete an  
12                   anaphylaxis training program prior to providing or administering an epinephrine auto-injector made  
13                   available by an authorized entity. Such training shall be conducted by a nationally recognized  
14                   organization experienced in training laypersons in emergency health treatment, or an entity or  
15                   individual approved by the department of health. Training may be conducted online or in person  
16                   and, at a minimum, shall cover:

17                   (1) Techniques on how to recognize symptoms of severe allergic reactions, including  
18                   anaphylaxis;

19                   (2) Standards and procedures for the storage and administration of an epinephrine auto-  
20                   injector; and

21                   (3) Emergency follow-up procedures.

22                   (b) The entity that conducts the training shall issue a certificate, on a form developed or  
23                   approved by the department of health, to each person who successfully completes the anaphylaxis  
24                   training program.

25                   (c) The director of health is hereby authorized to promulgate rules and regulations to  
26                   implement the training requirements of this section.

27                   SECTION 2. Chapter 23-6.5 of the General Laws entitled "Automated External  
28                   Defibrillators Required at Public Places" is hereby amended by adding thereto the following  
29                   section:

30                   **23-6.5-2.1. Mandating epinephrine auto-injectors' availability.**

31                   Any person who owns or operates a public place, as defined in § 23-6.4-1, shall provide  
32                   and maintain an operational epinephrine auto-injector and employees, agents, or other individuals  
33                   described in § 23-6.4-4, who are properly trained in their use, in accordance with § 23-6.4-6 and  
34                   the applicable department of health rules and regulations.

1 SECTION 3. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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RELATING TO HEALTH AND SAFETY -- LIFE-SAVING ALLERGY MEDICATION--  
STOCK SYRINGE EPINEPHRINE AUTO-INJECTORS--EMERGENCY ADMINISTRATION

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- 1        This act would require the owners or operators of any public place, which is an enclosed
- 2        area capable of holding three hundred (300) people or more and to which the public is invited or
- 3        permitted, to have available epinephrine auto-injectors and trained personnel to administer them.
- 4        This act would take effect upon passage.

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