

2015 -- H 5699

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO EDUCATION - HEALTH AND SAFETY

Introduced By: Representatives MacBeth, McLaughlin, Serpa, Messier, and Casey

Date Introduced: February 26, 2015

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 16-21 of the General Laws entitled "Health and Safety of Pupils"
2 is hereby amended by adding thereto the following section:

3 **16-21-35. Epinephrine auto-injectors.** -- (a) All public schools in this state shall
4 provide and maintain a stock of emergency epinephrine auto-injectors, on school grounds and at
5 all times. Such emergency epinephrine auto-injectors shall be maintained in quantities determined
6 by the department of health and the department of elementary and secondary education to be
7 adequate for the school. Such epinephrine auto-injectors shall be available to administer first aid
8 to students who experience allergic reactions, regardless of whether the students have prior
9 written authorization from a parent or guardian for the administration of epinephrine.

10 (b) The department of health and the department of elementary and secondary education
11 shall jointly promulgate a set of rules and regulations to address the procedures for ensuring that
12 emergency epinephrine auto-injectors are kept in a conspicuous place, are readily available, and
13 that their proper use and location is made known to school personnel.

14 (c) No school teacher, school nurse teacher, school administrator, or other school
15 personnel shall be liable for civil damages which may result from acts or omissions relating to the
16 use of the emergency epinephrine auto-injectors, which may constitute ordinary negligence; nor
17 shall the school personnel identified in this subsection be subject to criminal prosecution for any
18 acts or omissions in the good faith administration of or assisting a student in the administration of
19 emergency epinephrine auto-injectors. This immunity does not apply to acts or omissions

1 constituting gross negligence or willful or wanton conduct.

2 (d) Training in the use of emergency epinephrine auto-injectors shall be made available
3 to school teachers, school nurse teachers, school administrators, or other school personnel, which
4 training shall be conducted by a school nurse teacher. Participation in such training shall be
5 optional, and no school teacher, school nurse teacher, school administrator, or other school
6 personnel shall be subject to penalty or disciplinary action for refusing to be trained in
7 administration of emergency epinephrine auto-injectors.

8 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO EDUCATION - HEALTH AND SAFETY

- 1 This act would require public schools to maintain and have available on school grounds
- 2 emergency epinephrine auto-injectors.
- 3 This act would take effect upon passage.

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