

114TH CONGRESS
2D SESSION

H. R. 4662

To amend the Public Health Service Act to increase the preference given, in awarding certain asthma-related grants, to States that allow trained school personnel to administer asthma-related rescue medications, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 2016

Mr. ROE of Tennessee (for himself and Mr. HOYER) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act to increase the preference given, in awarding certain asthma-related grants, to States that allow trained school personnel to administer asthma-related rescue medications, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “School-Based Asthma
5 Management Program Act”.

1 **SEC. 2. ADDITIONAL PREFERENCE TO CERTAIN STATES**
2 **THAT ALLOW TRAINED SCHOOL PERSONNEL**
3 **TO ADMINISTER EPINEPHRINE AND ASTHMA-**
4 **RELATED RESCUE MEDICATIONS.**

5 Section 399L(d) of the Public Health Service Act (42
6 U.S.C. 280g(d)) is amended—

7 (1) in paragraph (1)—

8 (A) by amending subparagraph (F) to read
9 as follows:

10 “(F) SCHOOL PERSONNEL ADMINISTRA-
11 TION OF EPINEPHRINE AND ASTHMA-RELATED
12 RESCUE MEDICATIONS.—In determining the
13 preference (if any) to be given to a State under
14 this subsection, the Secretary shall give addi-
15 tional preference to a State that provides to the
16 Secretary the certification described in subpara-
17 graph (G) and that requires that each public el-
18 elementary school and secondary school in the
19 State—

20 “(i) permits trained personnel of the
21 school to administer epinephrine to any
22 student of the school reasonably believed to
23 be having an anaphylactic reaction;

24 “(ii) maintains a supply of epineph-
25 rine in a secure location that is easily ac-
26 cessible to trained personnel of the school

1 for the purpose of administration to any
2 student of the school reasonably believed to
3 be having an anaphylactic reaction;

4 “(iii) permits trained personnel of the
5 school to administer asthma-related rescue
6 medication to any student of the school
7 reasonably believed to have an asthma di-
8 agnosis;

9 “(iv) maintains a supply of asthma-re-
10 lated rescue medication and modes of de-
11 livery, such as spacers or nebulizers, in a
12 secure location that is easily accessible to
13 trained personnel of the school for the pur-
14 pose of administration to any student of
15 the school reasonably believed to have an
16 asthma diagnosis;

17 “(v) has in place a plan for having on
18 the premises of the school during all oper-
19 ating hours of the school a school nurse or
20 one or more other individuals who are
21 trained personnel of the school; and

22 “(vi) has in place under the direction
23 of a school nurse a comprehensive school-
24 based asthma management program that
25 includes—

1 “(I) a method to identify all stu-
2 dents of such school with a diagnosis
3 of asthma;

4 “(II) an individual student asth-
5 ma action plan for each student of
6 such school with a diagnosis of asth-
7 ma;

8 “(III) asthma education for
9 school staff who are directly respon-
10 sible for students who have been iden-
11 tified as asthmatic, such as education
12 regarding asthma basics, asthma
13 management, trigger management,
14 and comprehensive emergency re-
15 sponses to asthma attacks;

16 “(IV) asthma medication and
17 emergency policies that are specific to
18 the school;

19 “(V) efforts to reduce the pres-
20 ence of environmental triggers of
21 asthma; and

22 “(VI) a system to support stu-
23 dents with a diagnosis of asthma
24 through coordination with family
25 members of such students, primary

1 care providers of such students, and
2 others as necessary.”; and

3 (B) in subparagraph (G), by inserting “or
4 asthma-related rescue medication to a student
5 reasonably believed to have an asthma diag-
6 nosis,” after “epinephrine to a student reason-
7 ably believed to be having an anaphylactic reac-
8 tion”; and

9 (2) in paragraph (3)—

10 (A) in subparagraph (C)—

11 (i) by striking “The term” and insert-
12 ing “(i) The term”; and

13 (ii) by adding at the end the following
14 new clause:

15 “(ii) The term ‘asthma-related rescue
16 medication’ means short-acting bronchodilators,
17 such as albuterol and levalbuterol.”; and

18 (B) in subparagraph (E)—

19 (i) in the matter preceding clause (i),
20 by inserting “, such as the school nurse”
21 after “individual”;

22 (ii) in clause (i)—

23 (I) by inserting “school nurse or”
24 before “principal”; and

1 (II) by inserting “and asthma-re-
2 lated rescue medication” after “epi-
3 nephrine”;

4 (iii) in clause (ii), by inserting “and
5 asthma-related rescue medication” after
6 “epinephrine”; and

7 (iv) in clause (iii), by inserting “and
8 asthma-related rescue medication” after
9 “epinephrine”.

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