HOUSE DOCKET, NO. 2373 FILED ON: 1/17/2013

HOUSE . . . . . No. 430

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr.

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 passage of the accompanying:

An Act relative to emergency stock epinephrine in schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Bradley H. Jones, Jr.	*20th Middlesex*
George N. Peterson, Jr.	*9th Worcester*
Bradford Hill	*4th Essex*
Elizabeth A. Poirier	*14th Bristol*
Viriato Manuel deMacedo	*1st Plymouth*
Donald F. Humason, Jr.	*4th Hampden*
Paul K. Frost	*7th Worcester*
Sheila C. Harrington	*1st Middlesex*
Nicholas A. Boldyga	*3rd Hampden*
Kimberly N. Ferguson	*1st Worcester*
Daniel B. Winslow	*9th Norfolk*
Todd M. Smola	*1st Hampden*

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By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 430) of Bradley H. Jones, Jr. and others that schools be required to maintain non-patient specific epinephrine auto-injectors to be used in the event of anaphylactic emergencies. Education.

The Commonwealth of Massachusetts

An Act relative to emergency stock epinephrine 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. Section 54B of chapter 71 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the fourth paragraph the following:—

Notwithstanding any general or special law or regulation to the contrary, no school district shall prohibit students with life-threatening allergies from possessing and administering epinephrine, in accordance with department of public health regulations concerning students' self-administration of prescription medications.

Notwithstanding any general or special law or regulation to the contrary, each school shall maintain a stock supply of non-patient specific epinephrine to be administered in the event of an anaphylactic emergency. The department of public health shall promulgate regulations requiring school districts to adopt and implement policies pursuant to this section. Such regulations shall require that stock epinephrine be stored in an easily accessible unlocked location, the number and type of epinephrine auto-injectors required be based on school population, that the individuals authorized to administer epinephrine meet certain training requirements for such administration, and that the stock inventory be checked at regular intervals for expiration and replacement.

A school nurse or other authorized individual who provides, administers, or assists in the administration of epinephrine to a student believed in good faith to be having an anaphylactic reaction shall not be liable for any civil damages for negligence in acts or omissions resulting from the rendering of such treatment. Whenever any employee of a school district is covered by the immunity granted herein, the school district employing the individual shall not be liable for any civil damages for negligence in acts or omissions resulting from the rendering of such treatment.