

**HOUSE . . . . . No. 2077**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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An Act relative to access to 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:*

1 Chapter 71 of the General Laws is hereby amended by striking out section 54B, as  
2 appearing in the 2002 Official Edition, and inserting in place thereof the following section:-

3 Section 54B. Notwithstanding any general or special law to the contrary, the department  
4 of public health shall promulgate regulations governing the administration of medications,  
5 including psychotropic medications to children in school settings, in accordance with sections  
6 seven and nine of chapter ninety-four C. In developing such regulations, the department shall  
7 consult with the board of registration in nursing and the board of registration in medicine.

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

13           A school district must allow storage of epinephrine in a secure but unlocked place, as  
14 determined by the school nurse, accessible only to authorized persons, located in every part of  
15 the school grounds where an allergic student is most at risk such as classrooms and lunchrooms.

16           Notwithstanding any general or special law or regulation to the contrary, no school  
17 district shall prohibit students with cystic fibrosis from possessing and administering prescription  
18 enzyme supplements in accordance with department of public health regulations concerning  
19 students' self-administration of prescription medications.

20           Notwithstanding any general or special law or regulation to the contrary, a school district  
21 shall not prohibit a student with diabetes from possessing and administering a glucose  
22 monitoring test and insulin delivery system, in accordance with department of public health  
23 regulations concerning a student's self-administration of a prescription medication.