HOUSE DOCKET, NO. 1951 FILED ON: 1/17/2013

HOUSE . . . . . No. 1905

The Commonwealth of Massachusetts

PRESENTED BY:

James M. Cantwell

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 adoption of the accompanying bill:

An Act relative to emergency epinephrine pens in schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
James M. Cantwell	*4th Plymouth*	*1/17/2013*

HOUSE DOCKET, NO. 1951 FILED ON: 1/17/2013

HOUSE . . . . . No. 1905

By Mr. Cantwell of Marshfield, a petition (accompanied by bill, House, No. 1905) of James M. Cantwell relative to emergency epinephrine pens in schools. Public Health.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to emergency epinephrine pens 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:

Chapter 71 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding the following section after Section 54B.

Section 54C. The Use of Emergency Epinephrine in Schools.

(a) Any person who is a school nurse or an employee of an accredited school, authorized by a prescriber and trained in the administration of epinephrine, who provides, administers, or assists in the administration of epinephrine to a student believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

(b) By the beginning of the 2013-2014 school year, local school boards and nonpublic accredited schools may adopt and implement policies for the possession and administration of epinephrine in every school, to be administered by a school nurse or an employee of the school board who is authorized and trained in the administration of epinephrine to any student believed to be having an anaphylactic reaction.

(c) The school district or nonpublic school may maintain at a school in a locked, secure and accessible location an epinephrine kit. An epinephrine kit may consist of one or more doses of epinephrine auto-injectors. A physician may prescribe epinephrine auto-injectors in the name of the school district or nonpublic school to be maintained for use when necessary.

(d) Pursuant to an order or standing protocol issued by the prescriber within the course of his professional practice, a school nurse, or any school board employee who is authorized and

trained in the administration of epinephrine, may possess and administer epinephrine in emergency cases of anaphylactic shock.

(e) Epinephrine from an epinephrine kit shall be used only in emergency situations when the person administering the epinephrine reasonably believes that the signs and symptoms of an anaphylactic reaction are occurring and, if administered, at school, on school property or at a school-sponsored event.

(f) A school may not maintain an epinephrine kit unless the school has consulted a pharmacist licensed by the state board of pharmacy. The consultant pharmacist shall have supervisory responsibility for maintaining the epinephrine kit. The consultant pharmacist shall be responsible for developing procedures, proper control and accountability for the epinephrine kit. Periodic physical inventory of the epinephrine kit shall be required.