

HOUSE No. 4014

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

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:

1 SECTION 1. Section 54B of chapter 71 of the General Laws, as appearing in the 2012
2 Official Edition, is hereby amended by striking the third paragraph and inserting in place thereof
3 the following:— Notwithstanding any general or special law or regulation to the contrary, each
4 school shall maintain a stock supply of non-patient specific epinephrine to be administered in the
5 event of an anaphylactic emergency. The department of public health shall promulgate
6 regulations requiring school districts to adopt and implement policies pursuant to this section.
7 Such regulations shall require that stock epinephrine be stored in an easily accessible unlocked
8 location, the number and type of epinephrine auto-injectors required be based on school
9 population, that the individuals authorized to administer epinephrine meet certain training
10 requirements for such administration, and that the stock inventory be checked at regular intervals
11 for expiration and replacement. A school nurse or other authorized individual who provides,
12 administers, or assists in the administration of epinephrine to a student believed in good faith to
13 be having an anaphylactic reaction shall not be liable for any civil damages for negligence in acts
14 or omissions resulting from the rendering of such treatment. Whenever any employee of a school
15 district is covered by the immunity granted herein, the school district employing the individual
16 shall not be liable for any civil damages for negligence in acts or omissions resulting from the
17 rendering of such treatment.