

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 adoption of the accompanying bill:

An Act relative to emergency stock epinephrine in schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>1/17/2013</i>
<i>George N. Peterson, Jr.</i>	<i>9th Worcester</i>	<i>1/29/2013</i>
<i>Bradford Hill</i>	<i>4th Essex</i>	<i>1/30/2013</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>	<i>1/18/2013</i>
<i>Viriato Manuel deMacedo</i>	<i>1st Plymouth</i>	<i>1/25/2013</i>
<i>Donald Humason</i>		
<i>Paul K. Frost</i>	<i>7th Worcester</i>	
<i>Sheila C. Harrington</i>	<i>1st Middlesex</i>	
<i>Nicholas A. Boldyga</i>	<i>3rd Hampden</i>	
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	
<i>Daniel B. Winslow</i>	<i>9th Norfolk</i>	
<i>Todd M. Smola</i>	<i>1st Hampden</i>	

HOUSE No. 430

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

In the Year Two Thousand Thirteen

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 2010
2 Official Edition, is hereby amended by inserting after the fourth paragraph the following:—

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

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

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

21 any civil damages for negligence in acts or omissions resulting from the rendering of such
22 treatment.