

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Alan Silvia

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 storing and administering epinephrine in schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Alan Silvia</i>	<i>7th Bristol</i>	<i>3/5/2014</i>

HOUSE No.

By Mr. Silvia of Fall River, a petition (subject to Joint Rule 12) of Alan Silvia relative to storing and administering epinephrine in schools. Education.

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

An Act relative to storing and administering 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 54B of chapter 71 of the General Laws, as appearing in the 2012 Official Edition,
2 is hereby amended by striking out the third paragraph and inserting in place thereof the following
3 paragraph:-

4 School districts shall possess and store epinephrine auto-injectors within each of its
5 schools in a secure but unlocked place, accessible only to authorized persons, located in every
6 part of the school grounds where an allergic student is most at risk, including, but not limited to,
7 lunchrooms and certain classrooms. The school nurse or a person authorized by the school or
8 district shall monitor the school's epinephrine supply at regular intervals and the school district
9 shall replace any epinephrine that has expired. Certain school personnel, including the school
10 nurse, shall be trained and certified by the department of public health to identify a student
11 having an anaphylactic reaction and administer epinephrine. The department of public health
12 shall promulgate regulations setting forth: (i) the types of epinephrine

13 auto-injectors to be used: (ii) the minimum amount of epinephrine and trained personnel,
14 which shall be based on school population, required to be located in a school, and; (iii)
15 procedures for training and certifying school personnel to identify a student having an
16 anaphylactic reaction and administer epinephrine. A school nurse or other trained and certified
17 personnel who provides, administers or assists in the administration of epinephrine to a student
18 believed in good faith to be having an anaphylactic reaction shall not be liable for any civil
19 damages for negligence in acts or omissions resulting from the rendering of such treatment.
20 Whenever any employee of a school district is covered by the immunity granted herein, the
21 school district employing the individual shall not be liable for any civil damages for negligence
22 in acts or omissions resulting from the rendering of such treatment.