HOUSE DOCKET, NO. 807 FILED ON: 1/17/2017

HOUSE . . . . . No. 1132

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 enabling trained school personnel to administer life saving epinephrine treatment.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
James M. Cantwell	*4th Plymouth*	*1/17/2017*
Bruce J. Ayers	*1st Norfolk*	*2/1/2017*
Thomas J. Calter	*12th Plymouth*	*1/27/2017*
Josh S. Cutler	*6th Plymouth*	*2/3/2017*
Jonathan Hecht	*29th Middlesex*	*1/27/2017*
Kevin G. Honan	*17th Suffolk*	*2/3/2017*
James R. Miceli	*19th Middlesex*	*1/19/2017*
Mathew Muratore	*1st Plymouth*	*1/23/2017*

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By Mr. Cantwell of Marshfield, a petition (accompanied by bill, House, No. 1132) of James M. Cantwell and others relative to emergency epinephrine pens in schools. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *1902* OF 2015-2016.]

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

An Act enabling trained school personnel to administer life saving epinephrine treatment.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1: Section 54B of Chapter 71, as appearing in the 2014 Official Edition, is hereby amended by inserting the following after the word "lunchrooms":-

A public school district or non-public school, as defined by the department of education, may register with the department for the purpose of permitting school personnel to administer epinephrine by auto injector in a life-threatening situation during the school day when a school nurse is not immediately available, including field trips, provided that the following conditions are met:

1. the school committee, or, in the case of a non-public school, the chief administrative officer, approves policies governing the administration of epinephrine;

2. the designated school nurse leader or responsible nurse has final decision making authority about the program;

3. the school personnel authorized to administer epinephrine by auto injector are trained and tested for competency by the designated school nurse leader or responsible school nurse, or school nurses designated by this person, in accordance with standards and a curriculum established by the department;

4. the designated school nurse leader or responsible school nurse manages and has final decision making authority about the program;

5. the epinephrine is administered for an emergency case of anaphylactic shock, as deemed by a properly trained and authorized school personnel, or in accordance with an individual medication administration plan;

6. when epinephrine is administered, there shall be immediate notification of the local emergency medical services system, followed by notification of the student's parent(s) or guardian(s) or, if the parent(s) or guardian(s) are not available, any other designated person(s), the school nurse, the student's physician, and the school physician, to the extent possible;

Any school personnel, properly trained and authorized to administer 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.

Epinephrine may lawfully be prescribed and dispensed to a public school district or non-public school registered with the Department. For purposes of this chapter, any such prescription shall be regarded as being issued for a legitimate medical purpose in the usual course of professional practice. The school district or nonpublic school may maintain said epinephrine kit in a secure but unlocked place, as determined by the school nurse leader or responsible school.