HOUSE DOCKET, NO. 2155 FILED ON: 1/17/2019

HOUSE . . . . . No. 499

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:
Bradley H. Jones, Jr.	*20th Middlesex*	*1/17/2019*
Bradford Hill	*4th Essex*	*1/24/2019*
Elizabeth A. Poirier	*14th Bristol*	*1/17/2019*
Susan Williams Gifford	*2nd Plymouth*	*1/17/2019*
Paul K. Frost	*7th Worcester*	*1/30/2019*
Todd M. Smola	*1st Hampden*	*1/31/2019*
Timothy R. Whelan	*1st Barnstable*	*1/28/2019*
Randy Hunt	*5th Barnstable*	*1/28/2019*
William L. Crocker, Jr.	*2nd Barnstable*	*1/28/2019*
Angelo L. D'Emilia	*8th Plymouth*	*1/29/2019*
Steven S. Howitt	*4th Bristol*	*1/30/2019*
F. Jay Barrows	*1st Bristol*	*1/31/2019*
Kimberly N. Ferguson	*1st Worcester*	*2/1/2019*
Alyson M. Sullivan	*7th Plymouth*	*1/31/2019*
Michael J. Soter	*8th Worcester*	*2/1/2019*
Hannah Kane	*11th Worcester*	*2/1/2019*
Bruce E. Tarr	*First Essex and Middlesex*	*2/1/2019*

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By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 499) 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 One Hundred and Ninety-First General Court
(2019-2020)

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:

SECTION 1. Section 54B of chapter 71 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking the third paragraph and inserting in place thereof the following:—

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

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

SECTION 2. Notwithstanding any general or special law to the contrary, the department of public health in conjunction with the department of elementary and secondary education shall make all reasonable efforts to obtain federal funding or reimbursement for the implementation of this act. The department of public health in conjunction with the department of elementary and secondary education shall inquire about free epinephrine from pharmaceutical companies.