

HOUSE No. 4420

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 26, 2024.

The committee on Education, to whom were referred the petition (accompanied by bill, House, No. 490) of Kenneth I. Gordon and Natalie M. Higgins relative to emergency stock supply of epinephrine in schools, the petition (accompanied by bill, House, No. 507) 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, the petition (accompanied by bill, House, No. 539) of Frank A. Moran and others relative to providing for diabetes management in schools, the petition (accompanied by bill, House, No. 552) of Edward R. Philips and Vanna Howard relative to the emergency administration of glucagon in schools, and the petition (accompanied by bill, House, No. 556) of Edward R. Philips relative to undesignated glucagon rescue therapies in schools, reports recommending that the accompanying bill (House, No. 4420) ought to pass.

For the committee,

DENISE C. GARLICK.

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**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to emergency stock supply of 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 8A of Chapter 69 of the General Laws, as appearing in the 2020
2 Official Edition, is hereby amended by inserting in line 25 after the word "resuscitation" the
3 following: - the administration of non-patient specific epinephrine.

4 SECTION 2. Section 54B of chapter 71 of the General Laws is hereby amended by
5 striking the third paragraph and inserting in place thereof the following paragraph: -

6 Notwithstanding any general or special law or regulation to the contrary, each school
7 shall, subject to appropriation, maintain a stock supply of non-patient specific epinephrine in a
8 secure but unlocked place, as determined by the school nurse, accessible only to authorized
9 persons, located in every part of the school grounds where an allergic student is most at risk,
10 including, but not limited to, classrooms and lunchrooms. The stock shall be available to all
11 students, including students with individualized health care plans prescribing epinephrine
12 injections, to be administered in the event of an anaphylactic emergency. The department of
13 public health shall promulgate regulations requiring school districts to adopt and implement

14 policies pursuant to this section. Such regulations shall require that the number and type of
15 epinephrine auto injectors that each school shall stock be based on school population; (ii) the
16 individuals authorized to administer epinephrine meet certain training requirements for such
17 administration, including the use of epinephrine dose calculation devices; and (iii) the stock
18 inventory be checked at regular intervals for expiration and replacement. A school nurse or other
19 authorized individual who provides, administers, or assists in the administration of epinephrine
20 to a student believed in good faith to be having an anaphylactic reaction shall not be liable for
21 any civil damages for negligence in acts or omissions resulting from the rendering of such
22 treatment. Whenever any employee of a school district is covered by the immunity granted
23 herein, the school district employing the individual shall not be liable for any civil damages for
24 negligence in acts or omissions resulting from the rendering of such treatment.

25 SECTION 3. Notwithstanding any general or special law to the contrary, the department
26 of public health in conjunction with the department of elementary and secondary education shall
27 make all reasonable efforts to obtain federal funding or reimbursement for the implementation of
28 this act. The department of public health in conjunction with the department of elementary and
29 secondary education shall inquire about free epinephrine from pharmaceutical companies.