

HOUSE No. 556

The Commonwealth of Massachusetts

PRESENTED BY:

Edward R. Philips

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 undesignated glucagon rescue therapies in schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Edward R. Philips</i>	<i>8th Norfolk</i>	<i>1/19/2023</i>

HOUSE No. 556

By Representative Philips of Sharon, a petition (accompanied by bill, House, No. 556) of Edward R. Philips relative to undesignated glucagon rescue therapies in schools. Education.

The Commonwealth of Massachusetts

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

An Act relative to undesignated glucagon rescue therapies 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: The General Laws, as appearing in the 2020 Official Edition, are hereby
2 amended by inserting after section 54B of chapter 71 the following section:-

3 SECTION 54B1/2. UNDESIGNATED GLUCAGON RESCUE THERAPIES

4 (a) For the purposes of this section, the following terms shall have the following
5 meanings unless the context clearly requires otherwise:

6 "Diabetes care plan", a document that specifies the diabetes-related services needed by a
7 student at school and at school-sponsored activities and identifies the appropriate staff to provide
8 and supervise these services.

9 "Health care provider", a physician licensed to practice medicine in all of its branches,
10 advanced practice registered nurse who has a written agreement with a collaborating physician
11 who authorizes the provision of diabetes care, or a physician assistant who has a written

12 supervision agreement with a supervising physician who authorizes the provision of diabetes
13 care.

14 "Principal", the principal of the school.

15 "School", any primary or secondary public school located in the Commonwealth.

16 "School personnel", a person who is employed by a public school district, a person who
17 is employed by a local health department and assigned to a school, or a person who contracts
18 with a school or school district to perform services in connection with a student's diabetes care
19 plan.

20 "Ready-to-use undesignated glucagon rescue therapy", a glucagon rescue therapy
21 approved by the U.S. Food and Drug Administration that does not require reconstitution for the
22 treatment of severe hypoglycemia in a dosage form that can be rapidly administered to the
23 patient in an emergency.

24 (b) A school district shall obtain a standing order of ready-to-use undesignated glucagon
25 rescue therapy in which a licensed health care provider with the authority to prescribe ready-to-
26 use glucagon rescue therapy may prescribe ready-to-use glucagon rescue therapy in the name of
27 the school district or school to be maintained for use when necessary. Ready-to-use undesignated
28 glucagon rescue therapy prescriptions must be accompanied by a standing order for the
29 administration of school supplied, ready-to-use undesignated glucagon rescue therapy for
30 potentially severe hypoglycemic reactions.

31 (c) A school may maintain a supply of a ready-to-use undesignated glucagon rescue
32 therapy in any secure location that is immediately accessible to school personnel. Any supply of

33 ready-to-use undesignated glucagon rescue therapies must be maintained in accordance with the
34 manufacturer's instructions. School personnel may administer a ready-to-use undesignated
35 glucagon rescue therapy that does not require reconstitution if the student's prescribed glucagon
36 is not available on-site or has expired.

37 (d) Ready-to-use undesignated glucagon rescue therapies may be used on school
38 property, including the school building, playground, and school bus, as well as during field trips
39 or sanctioned excursions away from school property.

40 (e) If a student is injured or harmed due to the administration of ready-to-use
41 undesignated glucagon rescue therapy that a licensed health professional with prescribing
42 authority has prescribed and a pharmacist has dispensed to a school under this section, the
43 licensed health professional with prescribing authority and pharmacist may not be held
44 responsible for the injury unless he or she issued the prescription with a conscious disregard for
45 safety.

46 (f) In the event school personnel administers ready-to-use undesignated glucagon rescue
47 therapy to a student who the nurse in good faith believes to be experiencing a severe
48 hypoglycemic reaction and administers the medication in accordance with the written policies of
49 the school district, then the school personnel, the school district or school of employment, and
50 the members of the governing board and chief administrator thereof are not liable in any criminal
51 action or for civil damages in their individual, marital, governmental, corporate, or other capacity
52 as a result of providing the glucagon.

53 (g) Immediately after the administration of undesignated glucagon, a school must call
54 911 for emergency assistance and notify the school nurse, unless the school nurse was the one

- 55 administering the undesignated glucagon, and the student's parent or guardian or emergency
56 contact, if known, and health care provider of its use.