

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Thomas W. Moakley and Julian Cyr

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 increasing access to epinephrine.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Thomas W. Moakley</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>1/16/2025</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to increasing access to epinephrine.

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. Chapter 111 of the General Laws is hereby amended by inserting after
2 section 4O the following section:-

3 Section 4P. (a) As used in this section, the following words shall have the following
4 meanings unless the context clearly requires otherwise:

5 "Authorized entity" means any entity or organization at which allergens capable of
6 causing anaphylaxis may be present, including, but not limited to, restaurants, recreation camps,
7 youth sports leagues, amusement parks, colleges, universities, and sports arenas.

8 "Epinephrine autoinjector" means a single-use device used for the automatic injection of
9 a premeasured dose of epinephrine into the human body

10 (b) An authorized entity may acquire and maintain a supply of epinephrine autoinjectors
11 from a wholesaler approved by the department pursuant to this section. All acquired epinephrine
12 autoinjectors shall be stored in a location readily accessible in an emergency and in accordance

13 with the epinephrine autoinjector's instructions for use. An authorized entity shall designate
14 employees or agents who have completed the training required by subsection (d) of this section
15 to be responsible for the storage, maintenance and general oversight of epinephrine autoinjectors
16 acquired under this section.

17 (c) An employee or agent of an authorized entity who has completed the training required
18 by subsection (d) of this section may, on the premises of or in connection with the authorized
19 entity, use epinephrine autoinjectors obtained under this section to provide or administer an
20 epinephrine autoinjector to any individual who the employee or agent believes in good faith is
21 experiencing anaphylaxis for immediate self-administration, regardless of whether the individual
22 has a prescription for an epinephrine autoinjector or has previously been diagnosed with an
23 allergy.

24 (d) An employee, agent, or other individual described in subsection (c) of this section
25 must complete an anaphylaxis training program prior to providing or administering an
26 epinephrine autoinjector made available by an authorized entity. The training must be conducted
27 by a nationally recognized organization experienced in training laypersons in emergency health
28 treatment or by an entity or individual approved by the department of public health. The entity
29 shall submit proof of training to the department and receive approval for the acquisition of
30 epinephrine autoinjectors.

31 (e) An authorized entity that possesses and makes available epinephrine autoinjectors and
32 its trained employees and agents shall not liable for any injuries or related damages that result
33 from the administration or self-administration of an epinephrine autoinjector, the failure to
34 administer an epinephrine autoinjector, or any other act or omission taken pursuant to this

35 section, provided that said immunity does not apply to acts or omissions constituting gross
36 negligence or willful or wanton misconduct.

37 (f) An authorized entity that possesses and makes available epinephrine autoinjectors
38 shall submit to the department of public health, on a form developed by the department, a report
39 of each incident on the authorized entity's premises that involves the distribution or
40 administration of the authorized entity's epinephrine autoinjector. The department of public
41 health shall annually publish a report that summarizes and analyzes all reports submitted to it
42 under this subsection.

43 (g) The department shall promulgate guidance or regulations to carry out this section.