

House File 38 - Introduced

HOUSE FILE _____
BY L. MILLER

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the administration of epinephrine in schools,
2 and providing effective and applicability dates.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1771YH 83
5 ak/nh/5

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1 1 Section 1. NEW SECTION. 280.16A PROCEDURES FOR
1 2 ADMINISTRATION OF EPINEPHRINE.
1 3 1. The board of directors of a school district and the
1 4 authorities in charge of an accredited nonpublic school shall
1 5 develop a policy for the emergency administration of
1 6 epinephrine via an epinephrine auto injector for the treatment
1 7 of anaphylaxis or to avoid anaphylaxis.
1 8 2. The policy shall include the following criteria:
1 9 a. The student's parent or guardian shall provide the
1 10 school written authorization for the administration of
1 11 epinephrine via an epinephrine auto injector by designated
1 12 school officials.
1 13 b. The student's parent or guardian shall provide the
1 14 school a written statement from the student's physician
1 15 containing the following information:
1 16 (1) The reason why the student may need the epinephrine.
1 17 (2) The name of the medication.
1 18 (3) The prescribed dosage.
1 19 (4) The circumstances under which the epinephrine is to be
1 20 administered.
1 21 (5) Whether the student, if the student at the time the
1 22 epinephrine is needed is able, can self-administer the
1 23 epinephrine.
1 24 c. A designated location for the epinephrine auto injector
1 25 that can be accessed by both designated school officials and
1 26 the student.
1 27 d. A requirement that the student's parent or guardian and
1 28 the school meet the requirements of subsection 4.
1 29 3. a. The policy for the administration of epinephrine to
1 30 a student shall provide that the school nurse or other
1 31 designated school official and another designated school
1 32 official shall have the responsibility for the administration
1 33 of epinephrine by epinephrine auto injectors. At least one
1 34 school official who is qualified to administer epinephrine to
1 35 a student shall be present during school hours.
2 1 b. Each designated school official shall be properly
2 2 trained in the administration of an epinephrine auto injector
2 3 by a school nurse or other qualified health professional,
2 4 using standardized training approved by the department of
2 5 education in consultation with the department of public
2 6 health.
2 7 c. The parent or guardian of the student shall consent in
2 8 writing to the administration of epinephrine by the designated
2 9 school officials.
2 10 4. a. The school district or accredited nonpublic school
2 11 shall notify the parent or guardian of the student, in
2 12 writing, that the school district or accredited nonpublic
2 13 school and its employees are not liable, except for gross
2 14 negligence, as a result of any injury arising from
2 15 administration of epinephrine to the student. The parent or
2 16 guardian of the student shall sign a statement acknowledging
2 17 that the school district or nonpublic school and its employees
2 18 are not liable, except for gross negligence, as a result of
2 19 administration of epinephrine to the student.
2 20 b. A school district or accredited nonpublic school and

2 21 its employees acting reasonably and in good faith shall not be
2 22 liable for any improper use of epinephrine or for supervising,
2 23 monitoring, or interfering with a student's
2 24 self-administration of epinephrine.

2 25 c. The permission granted by a parent or guardian for
2 26 administration of epinephrine by designated school officials
2 27 is effective for the school year in which it is granted and
2 28 shall be renewed each subsequent school year upon fulfillment
2 29 of the requirements of this section. However, the parent or
2 30 guardian shall immediately notify the school of any changes in
2 31 the information provided pursuant to subsection 2, paragraph
2 32 "b".

2 33 Sec. 2. EFFECTIVE AND APPLICABILITY DATES. This Act,
2 34 being deemed of immediate importance, shall take effect upon
2 35 enactment and shall apply to school years beginning on or
3 1 after July 1, 2009.

3 2 EXPLANATION

3 3 This bill directs the boards of directors of school
3 4 districts and the authorities in charge of accredited
3 5 nonpublic schools to develop a policy for the emergency
3 6 administration of epinephrine via an epinephrine auto injector
3 7 to treat anaphylaxis or to avoid anaphylaxis in a student.

3 8 The policy must require a parent or guardian's written
3 9 authorization for the administration of epinephrine with an
3 10 epinephrine auto injector. The policy must require that the
3 11 student's physician provide information about why the student
3 12 may need the epinephrine, the name of the medication, the
3 13 dosage, the circumstances under which the epinephrine may be
3 14 administered, and whether the student, if at the time the
3 15 epinephrine is needed the student is able, can self-administer
3 16 the epinephrine.

3 17 The policy for administering epinephrine with an
3 18 epinephrine auto injector must also include designation of a
3 19 location where both designated school officials and the
3 20 student have access to the epinephrine auto injector. The
3 21 policy must also designate school officials at each school or
3 22 building where a student may need epinephrine to be authorized
3 23 to administer the epinephrine. A school nurse or other school
3 24 official and another school official are required to be
3 25 designated so that there is always at least one school
3 26 official present during school hours to administer the
3 27 epinephrine.

3 28 A designated school official must be properly trained to
3 29 use an epinephrine auto injector by the school nurse or
3 30 another health professional using training methods approved by
3 31 the department of education in cooperation with the department
3 32 of public health.

3 33 It shall also be required that the school inform the parent
3 34 or guardian that the school and its employees shall have no
3 35 liability as a result of administering the epinephrine to the
4 1 student or for supervising a student's self-administration of
4 2 the epinephrine; the parent or guardian must sign a statement
4 3 acknowledging the school's position. Permission from the
4 4 parent or guardian is good for the school year in which it is
4 5 given; it must be renewed each year.

4 6 The bill takes effect upon enactment and applies to school
4 7 years beginning on or after July 1, 2009.

4 8 LSB 1771YH 83

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