

House File 2055 - Introduced

HOUSE FILE 2055
BY BARKER

A BILL FOR

1 An Act relating to epinephrine delivery systems in schools, food
2 establishments, carnivals, recreational camps, youth sports
3 facilities, and sports arenas.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 135.185, Code 2026, is amended to read as
2 follows:

3 **135.185 Epinephrine ~~auto-injector~~ delivery system supply.**

4 1. For purposes of this section, unless the context otherwise
5 requires:

6 a. "*Epinephrine ~~auto-injector~~ delivery system*" means the same
7 as provided in section 280.16.

8 b. "*Facility*" means a food establishment as defined in
9 section 137F.1, a carnival as defined in section 88A.1, a
10 recreational camp, a youth sports facility, or a sports arena.

11 c. "*Licensed health care professional*" means the same as
12 provided in section 280.16.

13 d. "*Personnel authorized to administer epinephrine*" means an
14 employee or agent of a facility who is trained and authorized to
15 administer an epinephrine ~~auto-injector~~ delivery system.

16 2. Notwithstanding any other provision of law to the
17 contrary, a licensed health care professional may prescribe
18 epinephrine ~~auto-injectors~~ delivery systems in the name of a
19 facility to be maintained for use as provided in this section.

20 3. A facility may obtain a prescription for epinephrine
21 ~~auto-injectors~~ delivery systems and maintain a supply of such
22 ~~auto-injectors~~ delivery systems in a secure location at each
23 location where a member of the public may be present for use
24 as provided in this section. A facility that obtains such a
25 prescription shall replace epinephrine ~~auto-injectors~~ delivery
26 systems in the supply upon use or expiration. Personnel
27 authorized to administer epinephrine may possess and administer
28 epinephrine ~~auto-injectors~~ delivery systems from the supply as
29 provided in this section.

30 4. Personnel authorized to administer epinephrine may provide
31 or administer an epinephrine ~~auto-injector~~ delivery system from
32 the facility's supply to an individual present at the facility
33 if such personnel reasonably and in good faith believe the
34 individual is having an anaphylactic reaction.

35 5. The following persons, provided they have acted reasonably

1 and in good faith, shall not be liable for any injury
2 arising from the provision, administration, or assistance in the
3 administration of an epinephrine ~~auto-injector~~ delivery system as
4 provided in this section:

5 a. Any personnel authorized to administer epinephrine who
6 provide, administer, or assist in the administration of an
7 epinephrine ~~auto-injector~~ delivery system to an individual
8 present at the facility who such personnel believe to be having
9 an anaphylactic reaction.

10 b. The owner or operator of the facility.

11 c. The prescriber of the epinephrine ~~auto-injector~~ delivery
12 system.

13 6. The department, the board of medicine, the board
14 of nursing, and the board of pharmacy shall adopt rules
15 pursuant to chapter 17A to implement and administer this
16 section, including but not limited to standards and procedures
17 for the prescription, distribution, storage, replacement, and
18 administration of epinephrine ~~auto-injectors~~ delivery systems,
19 and for training and authorization to be required for personnel
20 authorized to administer epinephrine.

21 Sec. 2. Section 280.16, Code 2026, is amended to read as
22 follows:

23 **280.16 Self-administration of respiratory distress, asthma,**
24 **or other airway constricting disease medication, epinephrine**
25 **~~auto-injectors~~ delivery systems, bronchodilator canisters, or**
26 **bronchodilator canisters and spacers.**

27 1. *Definitions.* For purposes of this section:

28 a. "Bronchodilator" means a bronchodilator as recommended
29 by the department of health and human services for treatment
30 of a student's respiratory distress, asthma, or other airway
31 constricting disease.

32 b. "Bronchodilator canister" means a portable drug delivery
33 device packaged with multiple premeasured doses of a
34 bronchodilator.

35 c. "*Epinephrine ~~auto-injector~~ delivery system*" means a device

1 for immediate self-administration or administration by another
2 trained individual of a measured dose of epinephrine to a person
3 at risk of anaphylaxis, including epinephrine auto-injectors and
4 epinephrine nasal sprays.

5 d. "*Licensed health care professional*" means a person
6 licensed under chapter 148 to practice medicine and surgery or
7 osteopathic medicine and surgery, an advanced registered nurse
8 practitioner licensed under chapter 152 or 152E and registered
9 with the board of nursing, or a physician assistant licensed
10 under chapter 148C.

11 e. "*Medication*" means a drug that meets the definition
12 provided in section 126.2, subsection 8, has an individual
13 prescription label, is prescribed by a licensed health care
14 professional for a student, and pertains to the student's
15 respiratory distress, asthma, or other airway constricting
16 disease, or risk of anaphylaxis, and includes but is not limited
17 to a bronchodilator.

18 f. "*Self-administration*" means a student's discretionary use
19 of medication prescribed by a licensed health care professional
20 for the student.

21 g. "*Spacer*" means a holding chamber that is used to optimize
22 the delivery of a bronchodilator to a person's lungs.

23 2. The board of directors of a school district and the
24 authorities in charge of an accredited nonpublic school shall
25 permit the self-administration of medication or the use of a
26 bronchodilator canister or bronchodilator canister and spacer by
27 a student with respiratory distress, asthma, or other airway
28 constricting disease or the use of an epinephrine ~~auto-injector~~
29 delivery system by a student with a risk of anaphylaxis if the
30 following conditions are met:

31 a. The student's parent or guardian provides to the school
32 written authorization for the self-administration of medication,
33 for the use of a bronchodilator canister or a bronchodilator
34 canister and spacer, or for the use of an epinephrine
35 ~~auto-injector~~ delivery system.

1 b. The student's parent or guardian provides to the school
2 a written statement from the student's licensed health care
3 professional containing the following information:

4 (1) The name and purpose of the medication, bronchodilator
5 canister, bronchodilator canister and spacer, or epinephrine
6 ~~auto-injector~~ delivery system.

7 (2) The prescribed dosage.

8 (3) The times at which or the special circumstances under
9 which the medication, bronchodilator canister, bronchodilator
10 canister and spacer, or epinephrine ~~auto-injector~~ delivery system
11 is to be administered.

12 c. The parent or guardian and the school meet the
13 requirements of subsection 3.

14 3. The school district or accredited nonpublic school shall
15 notify the parent or guardian of the student, in writing, that
16 the school district or accredited nonpublic school and its
17 employees are to incur no liability, except for gross negligence,
18 as a result of any injury arising from self-administration of
19 medication, use of a bronchodilator canister or a bronchodilator
20 canister and spacer, or use of an epinephrine ~~auto-injector~~
21 delivery system by the student. The parent or guardian of the
22 student shall sign a statement acknowledging that the school
23 district or nonpublic school is to incur no liability, except
24 for gross negligence, as a result of self-administration of
25 medication, use of a bronchodilator canister or a bronchodilator
26 canister and spacer, or use of an epinephrine ~~auto-injector~~
27 delivery system by the student. A school district or accredited
28 nonpublic school and its employees acting reasonably and in
29 good faith shall incur no liability for any improper use of
30 medication, a bronchodilator canister, a bronchodilator canister
31 and spacer, or an epinephrine ~~auto-injector~~ delivery system
32 as defined in this section or for supervising, monitoring, or
33 interfering with a student's self-administration of medication,
34 use of a bronchodilator canister or a bronchodilator canister and
35 spacer, or use of an epinephrine ~~auto-injector~~ delivery system as

1 defined in this section.

2 4. The permission for self-administration of medication, for
3 the use of a bronchodilator canister or a bronchodilator canister
4 and spacer, or for the use of an epinephrine ~~auto-injector~~
5 delivery system is effective for the school year for which it
6 is granted and shall be renewed each subsequent school year upon
7 fulfillment of the requirements of this section. However, the
8 parent or guardian shall immediately notify the school of any
9 changes in the conditions listed under subsection 2.

10 5. Provided that the requirements of this section are
11 fulfilled, a student with respiratory distress, asthma, or
12 other airway constricting disease may possess and use the
13 student's medication and a student with a written statement
14 from a licensed health care professional on file pursuant
15 to subsection 2, paragraph "a", may use a bronchodilator
16 canister, a bronchodilator canister and spacer, or an
17 epinephrine ~~auto-injector~~ delivery system while in school, at
18 school-sponsored activities, under the supervision of school
19 personnel, and before or after normal school activities, such as
20 while in before-school or after-school care on school-operated
21 property. If the student misuses this privilege, the privilege
22 may be withdrawn. A school district or nonpublic school shall
23 notify a student's parent or guardian before withdrawing the
24 privilege to use a bronchodilator canister, a bronchodilator
25 canister and spacer, or an epinephrine ~~auto-injector~~ delivery
26 system.

27 6. Information provided to the school under subsection 2
28 shall be kept on file in the office of the school nurse or, in
29 the absence of a school nurse, the school's administrator.

30 7. The Iowa school for the deaf and the institutions under
31 the control of the department of health and human services as
32 provided in section 218.1 are exempt from the provisions of this
33 section.

34 Sec. 3. Section 280.16A, Code 2026, is amended to read as
35 follows:

1 **280.16A Epinephrine auto-injector delivery system,**
2 **bronchodilator canister, or bronchodilator canister and spacer**
3 **supply.**

4 1. For purposes of this section, unless the context otherwise
5 requires:

6 a. "Bronchodilator" means the same as defined in section
7 280.16.

8 b. "Bronchodilator canister" means the same as defined in
9 section 280.16.

10 c. "Epinephrine auto-injector delivery system" means the same
11 as provided in section 280.16.

12 d. "Licensed health care professional" means the same as
13 provided in section 280.16.

14 e. "Personnel authorized to administer epinephrine or a
15 bronchodilator" means a school nurse or other employee of a
16 school district or accredited nonpublic school trained and
17 authorized to administer an epinephrine auto-injector delivery
18 system, a bronchodilator canister, or a bronchodilator canister
19 and spacer.

20 f. "School nurse" means a registered nurse holding current
21 licensure recognized by the board of nursing who practices in
22 the school setting to promote and protect the health of the
23 school population by using knowledge from the nursing, social,
24 and public health sciences.

25 g. "Spacer" means the same as defined in section 280.16.

26 2. Notwithstanding any other provision of law to the
27 contrary, a licensed health care professional may prescribe
28 epinephrine auto-injectors delivery systems, bronchodilator
29 canisters, and bronchodilator canisters and spacers in the name
30 of a school district or accredited nonpublic school to be
31 maintained for use as provided in this section.

32 3. The board of directors in charge of each school district
33 and the authorities in charge of each accredited nonpublic
34 school may obtain a prescription for epinephrine auto-injectors
35 delivery systems, bronchodilator canisters, and bronchodilator

1 canisters and spacers and maintain a supply of such epinephrine
2 ~~auto-injectors~~ delivery systems, bronchodilator canisters, and
3 bronchodilator canisters and spacers in a secure location at
4 each school for use as provided in this section. The board and
5 the authorities shall replace epinephrine ~~auto-injectors~~ delivery
6 systems, bronchodilator canisters, and bronchodilator canisters
7 and spacers in the supply upon use or expiration. Personnel
8 authorized to administer epinephrine or a bronchodilator may
9 possess and administer epinephrine ~~auto-injectors~~ delivery
10 systems, bronchodilator canisters, or bronchodilator canisters
11 and spacers, as applicable, from the supply as provided in this
12 section.

13 4. Personnel authorized to administer epinephrine or a
14 bronchodilator may provide or administer an epinephrine
15 ~~auto-injector~~ delivery system, a bronchodilator canister, or
16 a bronchodilator canister and spacer, as applicable, from the
17 school's supply to a student or other individual if such
18 personnel reasonably and in good faith believe the student or
19 other individual is having an anaphylactic reaction or requires
20 treatment for respiratory distress, asthma, or other airway
21 constricting disease.

22 5. The following persons, provided they have acted reasonably
23 and in good faith, shall not be liable for any injury
24 arising from the provision, administration, or assistance in the
25 administration of an epinephrine ~~auto-injector~~ delivery system, a
26 bronchodilator canister, or a bronchodilator canister and spacer
27 as provided in this section:

28 a. Any personnel authorized to administer epinephrine or
29 a bronchodilator who, as applicable, provide, administer, or
30 assist in the administration of an epinephrine ~~auto-injector~~
31 delivery system to a student or other individual present at the
32 school who such personnel believe to be having an anaphylactic
33 reaction or in the administration of a bronchodilator canister
34 or a bronchodilator canister and spacer to a student or other
35 individual present at the school who such personnel believe to

1 require treatment for respiratory distress, asthma, or other
2 airway constricting disease.

3 b. A school district or accredited nonpublic school employing
4 the personnel.

5 c. The board of directors in charge of the school district or
6 authorities in charge of the accredited nonpublic school.

7 d. The prescriber of the epinephrine ~~auto-injector~~ delivery
8 system, the bronchodilator canister, or the bronchodilator
9 canister and spacer.

10 6. The department of education, the board of medicine,
11 the board of nursing, and the board of pharmacy shall, in
12 consultation with an organization representing school nurses,
13 adopt rules pursuant to chapter 17A to implement and administer
14 this section, including but not limited to standards and
15 procedures for the prescription, distribution, storage, disposal,
16 replacement, and administration of epinephrine ~~auto-injectors~~
17 delivery systems, bronchodilator canisters, and bronchodilator
18 canisters and spacers, and for training and authorization to be
19 required for personnel authorized to administer epinephrine or a
20 bronchodilator.

21 EXPLANATION

22 The inclusion of this explanation does not constitute agreement with
23 the explanation's substance by the members of the general assembly.

24 This bill relates to epinephrine delivery systems in schools,
25 food establishments, carnivals, recreational camps, youth sports
26 facilities, and sports arenas.

27 Current law permits food establishments, carnivals,
28 recreational camps, youth sports facilities, and sports arenas
29 to obtain and maintain a supply of epinephrine auto-injectors
30 for emergency use. Current law also requires the board of
31 directors of a school district and the authorities in charge of
32 an accredited nonpublic school to permit the self-administration
33 of medication or the use of an epinephrine auto-injector by a
34 student with a risk of anaphylaxis if certain conditions are
35 met. Current law further authorizes the board of directors in

1 charge of each school district and the authorities in charge
2 of each accredited nonpublic school to obtain a prescription
3 for epinephrine auto-injectors and to maintain a supply of such
4 devices in a secure location at each school.

5 The bill replaces the defined term "epinephrine auto-injector"
6 with "epinephrine delivery system", which includes both
7 epinephrine auto-injectors and epinephrine nasal sprays. As
8 a result, under the bill, epinephrine nasal sprays would be
9 permitted and available in the same manner as epinephrine
10 auto-injectors.

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