

HOUSE BILL 497

F1

2lr2063
CF SB 621

By: Delegates Myers, Afzali, Glass, McComas, Norman, Parrott, Serafini, ~~and Smigiel~~ Smigiel, Barve, Boteler, Branch, Frick, George, Hixson, Howard, Ivey, Kaiser, Luedtke, A. Miller, Rosenberg, Ross, Stukes, Summers, and F. Turner

Introduced and read first time: February 2, 2012

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 17, 2012

CHAPTER _____

1 AN ACT concerning

2 **Public Schools – Epinephrine Availability and Use – Policy Requirements**

3 FOR the purpose of requiring each county board of education to establish a policy to
4 authorize certain school personnel to administer auto-injectable epinephrine to
5 certain students under certain circumstances; requiring a certain policy to
6 include certain information; ~~providing that a certain policy may authorize a~~
7 ~~school nurse to obtain and store at a public school auto-injectable epinephrine~~
8 ~~for certain purposes~~; requiring certain public schools to submit a certain report
9 to the State Department of Education; requiring the Department to develop and
10 disseminate a certain standard form; defining certain terms; and generally
11 relating to an epinephrine availability and use policy in public schools.

12 BY adding to

13 Article – Education

14 Section 7-426.2

15 Annotated Code of Maryland

16 (2008 Replacement Volume and 2011 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Education**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 7-426.2.

2 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
3 MEANINGS INDICATED.

4 (2) "ANAPHYLAXIS" MEANS A SUDDEN, SEVERE, AND
5 POTENTIALLY LIFE-THREATENING ALLERGIC REACTION THAT OCCURS WHEN
6 AN INDIVIDUAL IS EXPOSED TO AN ALLERGEN.

7 (3) "AUTO-INJECTABLE EPINEPHRINE" MEANS A PORTABLE,
8 DISPOSABLE DRUG DELIVERY DEVICE THAT CONTAINS A PREMEASURED SINGLE
9 DOSE OF EPINEPHRINE THAT IS USED TO TREAT ANAPHYLAXIS IN AN
10 EMERGENCY SITUATION.

11 (B) EACH COUNTY BOARD SHALL ESTABLISH A POLICY FOR PUBLIC
12 SCHOOLS WITHIN ITS JURISDICTION TO AUTHORIZE THE SCHOOL NURSE AND
13 OTHER SCHOOL PERSONNEL TO ADMINISTER AUTO-INJECTABLE EPINEPHRINE,
14 IF AVAILABLE, TO A STUDENT WHO IS DETERMINED TO BE OR PERCEIVED TO BE
15 IN ANAPHYLAXIS, REGARDLESS OF WHETHER THE STUDENT:

16 (1) HAS BEEN IDENTIFIED AS HAVING AN ANAPHYLACTIC
17 ALLERGY, AS DEFINED IN § 7-426.1 OF THIS SUBTITLE; OR

18 (2) HAS A PRESCRIPTION FOR EPINEPHRINE AS PRESCRIBED BY
19 AN AUTHORIZED LICENSED HEALTH CARE PRACTITIONER UNDER THE HEALTH
20 OCCUPATIONS ARTICLE.

21 (C) ~~(1)~~ THE POLICY ESTABLISHED UNDER SUBSECTION (B) OF THIS
22 SECTION SHALL INCLUDE:

23 ~~(1)~~ (1) TRAINING FOR SCHOOL PERSONNEL ON HOW TO
24 RECOGNIZE THE SYMPTOMS OF ANAPHYLAXIS;

25 ~~(2)~~ (2) PROCEDURES FOR THE EMERGENCY
26 ADMINISTRATION OF AUTO-INJECTABLE EPINEPHRINE; ~~AND~~

27 ~~(3)~~ (3) THE PROPER FOLLOW-UP EMERGENCY
28 PROCEDURES; ~~AND~~

29 ~~(2)~~ (4) ~~THE POLICY MAY INCLUDE A~~ A PROVISION
30 AUTHORIZING A SCHOOL NURSE TO OBTAIN AND STORE AT A PUBLIC SCHOOL
31 AUTO-INJECTABLE EPINEPHRINE TO BE USED IN AN EMERGENCY SITUATION.

1 **(D) (1) EACH PUBLIC SCHOOL SHALL SUBMIT, ON THE FORM THAT**
2 **THE DEPARTMENT REQUIRES, A REPORT TO THE DEPARTMENT ON EACH**
3 **INCIDENT AT THE SCHOOL OR AT A RELATED SCHOOL EVENT THAT REQUIRED**
4 **THE USE OF AUTO-INJECTABLE EPINEPHRINE.**

5 **(2) THE DEPARTMENT SHALL DEVELOP AND DISSEMINATE A**
6 **STANDARD FORM TO REPORT EACH INCIDENT REQUIRING THE USE OF**
7 **AUTO-INJECTABLE EPINEPHRINE AT A PUBLIC SCHOOL.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 July 1, 2012.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.