

Chapter 553

(House Bill 497)

AN ACT concerning

Public Schools – Epinephrine Availability and Use – Policy Requirements

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

BY adding to

Article – Education

Section 7-426.2

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

Article – Education

7-426.2.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Approved by the Governor, May 22, 2012.