

**SB0180/593028/1**

BY: Ways and Means Committee

AMENDMENTS TO SENATE BILL 180  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Auto-Injectable Epinephrine and**”; strike beginning with “requiring” in line 4 down through “anaphylaxis;” in line 8; in line 15, strike “or” and substitute “, or is”; in the same line, after the second “be” insert a comma; and in line 18, strike “auto-injectable epinephrine and”.

On pages 1 and 2, strike in their entirety the lines beginning with line 20 on page 1 through line 1 on page 2, inclusive.

AMENDMENT NO. 2

On pages 2 through 5, strike in their entirety the lines beginning with line 10 on page 2 through line 34 on page 5, inclusive.

On page 6, in line 11, after “(4)” insert “(I)”; strike beginning with “INCLUDING” in line 12 down through “STAFF” in line 15 and substitute “OR, IN THE CASE OF SOME SCHOOL HEALTH STAFF, BY A LOCAL HEALTH DEPARTMENT.”

(II) “SCHOOL PERSONNEL” INCLUDES PART-TIME EMPLOYEES, TEACHERS, SUBSTITUTE TEACHERS EMPLOYED BY THE SCHOOL FOR AT LEAST 7 DAYS EACH SCHOOL YEAR, REGISTERED NURSE CASE MANAGERS, DELEGATING NURSES, AND ADMINISTRATIVE STAFF”;

in line 23, strike “OR” and substitute “, OR IS”; and in the same line, after the second “BE” insert a comma.

On page 7, strike in their entirety lines 3 through 9, inclusive, and substitute:

“(C) (1) THE DEPARTMENT, IN CONSULTATION WITH THE MARYLAND DEPARTMENT OF HEALTH, THE AMERICAN LUNG ASSOCIATION, AND THE ASTHMA AND ALLERGY FOUNDATION OF AMERICA, SHALL IDENTIFY OR DEVELOP TRAINING TO:

(I) IDENTIFY THE SYMPTOMS OF ASTHMA AND RESPIRATORY DISTRESS;

(II) IDENTIFY THE SYMPTOMS OF ANAPHYLAXIS; AND

(III) DISTINGUISH BETWEEN ANAPHYLAXIS AND ASTHMA OR RESPIRATORY DISTRESS.

(2) THE TRAINING IDENTIFIED OR DEVELOPED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE PROVIDED TO SCHOOL NURSES AND VOLUNTARY SCHOOL PERSONNEL WHO ARE DESIGNATED BY A SCHOOL NURSE AND, IN THE CLINICAL JUDGMENT OF THE SCHOOL NURSE, ARE APPROPRIATE RECIPIENTS OF THE TRAINING.

(3) THE TRAINING PROVIDED UNDER THIS SUBSECTION SHALL BE A PAID PROFESSIONAL DEVELOPMENT TRAINING.”;

in line 17, strike “AND” and substitute “THE NEED TO ADMINISTER A BRONCHODILATOR AND FOR”; strike beginning with “AUTHORIZING” in line 21 down through “SCHOOL” in line 22 and substitute “REQUIRING THAT”; in line 23, after the comma insert “BE STORED IN PUBLIC SCHOOLS”; in line 24, strike “AND”; and in line 25, after “(6)” insert “A PROVISION AUTHORIZING A COUNTY BOARD TO OBTAIN A STANDING ORDER FOR THE ADMINISTRATION OF BRONCHODILATORS; AND

(7)”.

On page 8, in line 9, after “(F)” insert “(1)”; and after line 13, insert:

**“(2) EXCEPT FOR ANY WILLFUL OR GROSSLY NEGLIGENT ACT, A HEALTH CARE PROVIDER WHO PRESCRIBES OR DISPENSES A BRONCHODILATOR USED TO TREAT A CHILD IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION MAY NOT BE HELD PERSONALLY LIABLE FOR ANY ACT OR OMISSION THAT OCCURS IN THE COURSE OF RESPONDING TO THE CHILD IN DISTRESS.”.**

On page 9, in line 17, strike “PROVIDED UNDER § 7-426.2(C)” and substitute “DEVELOPED UNDER § 7-426.6(C)”; in line 18, strike “OR” and substitute “, OR IS”; in the same line, after the second “BE” insert a comma; and in line 33, strike “§ 7-426.2(C)” and substitute “§ 7-426.6(C)”.

On page 10, in line 4, strike “AND” and substitute “THE NEED TO ADMINISTER A BRONCHODILATOR AND FOR”; strike beginning with “AUTHORIZING” in line 8 down through “SITUATION” in line 11 and substitute “REQUIRING THAT”; in line 12, after “SPACERS” insert “, BE STORED IN NONPUBLIC SCHOOLS TO BE USED IN AN EMERGENCY SITUATION”; in line 16, strike “AND”; and in line 17, after “(7)” insert “A PROVISION AUTHORIZING A NONPUBLIC SCHOOL TO OBTAIN A STANDING ORDER FOR THE ADMINISTRATION OF BRONCHODILATORS; AND

**(8)**”.

On page 11, in line 1, after “(E)” insert “(1)”; and after line 5, insert:

**“(2) EXCEPT FOR ANY WILLFUL OR GROSSLY NEGLIGENT ACT, A HEALTH CARE PROVIDER WHO PRESCRIBES OR DISPENSES A BRONCHODILATOR USED TO TREAT A CHILD IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION MAY NOT BE HELD PERSONALLY LIABLE FOR ANY ACT OR OMISSION THAT OCCURS IN THE COURSE OF RESPONDING TO THE CHILD IN DISTRESS.”.**