



**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**THE JOHN A. WILSON BUILDING**  
**1350 PENNSYLVANIA AVENUE, NW**  
**WASHINGTON, D.C. 20004**

**CHRISTINA HENDERSON**  
Councilmember, At-Large  
Chairperson, Committee on Health

**Committee Member**  
Hospital and Health Equity  
Judiciary and Public Safety  
Transportation and the Environment

**Statement of Introduction on the Access to Emergency Albuterol and Glucagon  
Amendment Act of 2023  
March 20, 2023**

Today, along with Councilmembers Charles Allen, Zachary Parker, Brianne K. Nadeau, Anita Bonds, Brooke Pinto, and Janeese Lewis George, I am proud to introduce the “Access to Emergency Albuterol and Glucagon Amendment Act of 2023.” This legislation would amend the Student Access to Treatment Act of 2007 to authorize employees and agents of public schools who have been certified under an Office of the State Superintendent of Education administration training program to administer undesignated albuterol to a student who is suffering or about to suffer an asthma attack and undesignated glucagon to a student who is suffering or about to suffer hypoglycemia due to diabetes.

Currently, students enrolled in public and public charter schools must have a medication action plan to self-administer inhaled asthma medication or diabetes medication. To enable student self-administration of medication, the parent, legal guardian, or the student must obtain authorization on the medication action plan from a licensed practitioner. However, in the case of an emergency where a student without a medication action plan is showing signs of an asthma attack or of hypoglycemia due to diabetes, school staff are currently not permitted to administer undesignated medication to the student. There is also currently no undesignated albuterol or glucagon available at public and public charter school campuses.

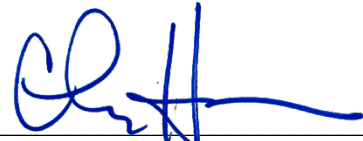
The lack of availability of undesignated albuterol and glucagon on school campuses, and the lack of authority for a school employee to administer undesignated medication, puts many students at severe risk. In the District, only 15.2% of students with asthma have an asthma action plan and 71.7% of students with diabetes have a diabetes management plan. This means that, in the case of a medical emergency, almost 9 in 10 children with asthma would not be able to access albuterol and 1 in 3 children with diabetes would not be able to access glucagon.

This legislation, crafted in close collaboration with Children’s National Hospital, seeks to address this health risk by requiring that undesignated albuterol and undesignated glucagon be available and safely stored at all public and public charter schools. It also authorizes school employees or agents certified under an OSSE albuterol or glucagon administration training program to administer these medications in the case of an emergency for a child with or without a medication action plan.

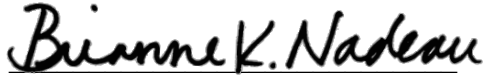
I look forward to working with my colleagues to move this legislation forward and improve health and safety for District of Columbia students.

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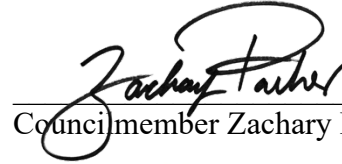
2 Councilmember Charles Allen



Councilmember Christina Henderson

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5 Councilmember Brianne K. Nadeau



Councilmember Zachary Parker

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9 Councilmember Brooke Pinto



Councilmember Anita Bonds



Councilmember Janeese Lewis George

19 A BILL

23 \_\_\_\_\_  
24 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
25 \_\_\_\_\_

29 To amend the Student Access to Treatment Act of 2007 to authorize employees and agents of  
30 public schools certified under the Office of the State Superintendent of Education’s  
31 albuterol administration training program to administer undesignated albuterol to a  
32 student who is suffering or about to suffer an asthma attack, and to authorize employees  
33 and agents of public schools certified under the Office of the State Superintendent of  
34 Education’s glucagon administration training program to administer undesignated  
35 glucagon to a student who is suffering or about to suffer hypoglycemia.

37 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
38 act may be cited as the "Access to Emergency Albuterol and Glucagon Amendment Act of  
39 2023."

40 Sec. 2. The Student Access to Treatment Act of 2007, effective February 2, 2008 (D.C.  
41 Law 17-107; D.C. Official Code § 38-651.01 *et seq.*), is amended as follows:

42 (a) Section 2 (D.C. Official Code § 38-651.01) is amended by adding new paragraphs  
43 (5B) and (5C) to read as follows:

44 "(5B) "Undesignated albuterol" means medication delivered through a device, including a  
45 metered dose inhaler with reusable or disposable spacer or nebulizer with a mouthpiece or mask  
46 and tubing, which is obtained without a prescription for a particular person suffering from  
47 asthma exacerbations.

48 "(5C) "Undesignated glucagon" means a disposable drug delivery system with a spring-  
49 activated needle obtained without a prescription for a particular person that is designed for the  
50 emergency administration of glucagon to a person suffering an episode of hypoglycemia.".

51 (b) A new Section 5b is added to read as follows:

52 "Sec. 5b. Student Access to albuterol.

53 "(a) OSSE shall establish and administer an undesignated albuterol plan that authorizes a  
54 public school to possess and administer undesignated albuterol.

55 "(b)(1) By June 1, 2024 the Department of Health shall issue a standing order signed by at  
56 least one physician, physician assistant, or advanced practice nurse licensed in the District to  
57 permit public schools to use undesignated albuterol in emergency circumstances.

58 "(2) By July 1, 2024, OSSE shall develop and implement an albuterol  
59 administration training program, which shall provide training and certification of employees and  
60 agents of a public school on the storage and emergency use of an undesignated albuterol  
61 medication on a person suffering or about to suffer an asthma attack.

62 "(3) Upon implementation of the undesignated albuterol plan, each public school  
63 shall ensure that it has at least 2 employees or agents certified in the use of an undesignated  
64 albuterol who are available to administer albuterol during all hours of the school day.

65                   "(4) For the purposes of this subsection, the term "certified" means an individual  
66 who has obtained a certificate of completion of the albuterol administration training that is  
67 developed and implemented by OSSE and approved by the Mayor.

68                   "(c)(1) Under the undesignated albuterol plan, OSSE shall:

69                                 "(A) Implement the undesignated albuterol plan, with guidance from the  
70 Department of Health;

71                                 "(B) Procure and distribute undesignated albuterol to public schools for  
72 use in emergency circumstances;

73                                 "(C) Monitor the supply of undesignated albuterol, including ensuring that  
74 the supply is restocked as medication is used;

75                                 "(D) Ensure the destruction of expired undesignated albuterol at public  
76 schools; and

77                                 "(E) Maintain records regarding the procurement, distribution, and  
78 disposition of undesignated albuterol for 3 years.

79                                 "(2)(A) A public school shall store undesignated albuterol in a secure but easily  
80 accessible location in accordance with the manufacturer's instructions.

81                                 "(B) Each public school shall maintain, at all times, no fewer than 2  
82 unexpired undesignated albuterol available through the undesignated albuterol plan.

83                   "(d)(1) An employee or agent of a public school who is certified pursuant to this section  
84 may administer an undesignated albuterol to a student who the employee or agent believes in  
85 good faith to be suffering or about to suffer an asthma attack.

86                   "(2) Undesignated albuterol may be used on public school property, including the  
87 school building, playground, and school bus, as well as during field trips or sanctioned

88 excursions away from public school property. The certified employee or agent of the public  
89 school may carry an appropriate supply of the public school's undesignated albuterol on field  
90 trips or excursions.

91 "(3) Within 24 hours of the administration of an undesignated albuterol, the public  
92 school shall notify OSSE and the physician, physician assistant, or advance practice nurse who  
93 provided the standing order for the undesignated albuterol of its use.

94 "(4) As soon as practicable following the administration of medication pursuant to  
95 this section, the public school shall inform the student's responsible person that the medication  
96 was administered.

97 "(e) An employee or agent of a public school who is certified pursuant to this section may  
98 administer designated albuterol to the student to whom it is prescribed, who the employee or  
99 agent believes in good faith to be suffering or about to suffer an asthma attack."

100 (c) A new section 5c is added to read as follows:

101 "Sec. 5c. Student Access to glucagon.

102 "(a) OSSE shall establish and administer an undesignated glucagon plan that authorizes a  
103 public school to possess and administer undesignated glucagon medication.

104 "(b)(1) By June 1, 2024 the Department of Health shall issue a standing order signed by at  
105 least one physician, physician assistant, or advanced practice nurse licensed in the District to  
106 permit public schools to use undesignated glucagon in emergency circumstances.

107 "(2) By July 1, 2024, OSSE shall develop and implement a glucagon medication  
108 administration training program, which shall provide training and certification of employees and  
109 agents of a public school on the storage and emergency use of an undesignated glucagon

110 medication through a student's diabetes care plan and if the student's prescribed glucagon is not  
111 available on-site or has expired.

112 "(3) Upon implementation of the undesignated glucagon action plan, each public  
113 school shall ensure that it has at least 2 employees or agents certified in the use of an  
114 undesignated glucagon medication who are available to administer glucagon medication during  
115 all hours of the school day.

116 "(4) For the purposes of this subsection, the term "certified" means an individual  
117 who has obtained a certificate of completion of the glucagon medication administration training  
118 that is developed and implemented by OSSE and approved by the Mayor.

119 "(c)(l) Under the undesignated glucagon plan, OSSE shall:

120 "(A) Implement the undesignated glucagon action plan, with guidance  
121 from the Department of Health;

122 "(B) Procure and distribute undesignated glucagon medication to public  
123 schools for use in emergency circumstances;

124 "(C) Monitor the supply of undesignated glucagon, including ensuring that  
125 the supply is restocked as medication is used;

126 "(D) Ensure the destruction of expired undesignated glucagon medication  
127 at public schools; and

128 "(E) Maintain records regarding the procurement, distribution, and  
129 disposition of undesignated glucagon medication for 3 years.

130 "(2)(A) A public school shall store undesignated glucagon medication in a secure  
131 but easily accessible location in accordance with the manufacturer's instructions.

132                   "(B) Each public school shall maintain, at all times, no fewer than 2  
133 unexpired glucagon medications.

134           "(d)(1) An employee or agent of a public school who is certified pursuant to this section  
135 may administer an undesignated glucagon medication to a student who the employee or agent  
136 believes in good faith to be suffering or about to suffer hypoglycemia.

137           "(2) Undesignated glucagon medication may be used on public school property,  
138 including the school building, playground, and school bus, as well as during field trips or  
139 sanctioned excursions away from public school property. The certified employee or agent of the  
140 public school may carry an appropriate supply of the public school's undesignated glucagon  
141 medication on field trips or excursions.

142           "(3) Within 24 hours of the administration of an undesignated glucagon, the  
143 public school shall notify OSSE and the physician, physician assistant, or advance practice nurse  
144 who provided the standing order for the undesignated glucagon medication of its use.

145           "(4) As soon as practicable following the administration of medication pursuant to  
146 this section, the public school shall inform the student's responsible person that the medication  
147 was administered.

148           "(e) An employee or agent of a public school who is certified pursuant to this section may  
149 administer designated glucagon to the student to whom it is prescribed, who the employee or  
150 agent believes in good faith to be suffering or about to suffer hypoglycemia."

151           Sec. 3. Fiscal impact statement.

152           The Council adopts the fiscal impact statement in the committee report as the fiscal  
153 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
154 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

155           Sec. 4. Effective date.

156           This act shall take effect following approval by the Mayor (or in the event of veto by the  
157 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
158 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
159 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
160 Columbia Register.