

HOUSE No. 415

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr. and Viriato M. DeMacedo

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to emergency stock epinephrine in schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Bradford R. Hill</i>	<i>4th Essex</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>
<i>Viriato M. DeMacedo</i>	<i>Plymouth and Barnstable</i>
<i>Sheila C. Harrington</i>	<i>1st Middlesex</i>
<i>Shawn Dooley</i>	<i>9th Norfolk</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>
<i>Leah Cole</i>	<i>12th Essex</i>
<i>Kevin J. Kuros</i>	<i>8th Worcester</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>
<i>Nicholas A. Boldyga</i>	<i>3rd Hampden</i>
<i>David T. Vieira</i>	<i>3rd Barnstable</i>

HOUSE No. 415

By Representative Jones of North Reading and Senator DeMacedo, a joint petition (accompanied by bill, House, No. 415) of Bradley H. Jones, Jr. and others that schools be required to maintain non-patient specific epinephrine auto-injectors to be used in the event of anaphylactic emergencies. Education.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 430 OF 2013-2014.]

The Commonwealth of Massachusetts

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**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**
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An Act relative to emergency stock epinephrine in schools.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 54B of chapter 71 of the General Laws, as appearing in the 2012
2 Official Edition, is hereby amended by striking the third paragraph and inserting in place thereof
3 the following:—

4 Notwithstanding any general or special law or regulation to the contrary, each school
5 shall maintain a stock supply of non-patient specific epinephrine to be administered in the event
6 of an anaphylactic emergency. The department of public health shall promulgate regulations
7 requiring school districts to adopt and implement policies pursuant to this section. Such
8 regulations shall require that stock epinephrine be stored in an easily accessible unlocked
9 location, the number and type of epinephrine auto-injectors required be based on school

10 population, that the individuals authorized to administer epinephrine meet certain training
11 requirements for such administration, and that the stock inventory be checked at regular intervals
12 for expiration and replacement. A school nurse or other authorized individual who provides,
13 administers, or assists in the administration of epinephrine to a student believed in good faith to
14 be having an anaphylactic reaction shall not be liable for any civil damages for negligence in acts
15 or omissions resulting from the rendering of such treatment. Whenever any employee of a school
16 district is covered by the immunity granted herein, the school district employing the individual
17 shall not be liable for any civil damages for negligence in acts or omissions resulting from the
18 rendering of such treatment.

19 SECTION 2. Notwithstanding any general or special law to the contrary, the department
20 of public health in conjunction with the department of elementary of elementary and secondary
21 education shall make all reasonable efforts to obtain federal funding or reimbursement for the
22 implementation of this act.