

# SENATE, No. 133

## STATE OF NEW JERSEY 220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

**Sponsored by:**

**Senator PATRICK J. DIEGNAN, JR.**

**District 18 (Middlesex)**

**Senator JAMES BEACH**

**District 6 (Burlington and Camden)**

**Co-Sponsored by:**

**Senator Greenstein**

**SYNOPSIS**

Permits school bus driver to administer epinephrine to student in emergency under certain circumstances.

**CURRENT VERSION OF TEXT**

As reported by the Senate Education Committee with technical review.



1 AN ACT concerning the administration of epinephrine by school bus  
2 drivers and supplementing P.L.1997, c.368 (C.18A:40-12.5 et  
3 seq.).  
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:  
7

8 1. a. As used in this section, "school bus driver" includes  
9 school bus drivers who are employed by a board of education and  
10 school bus drivers who are employed by a school bus contractor  
11 that provides pupil transportation services under contract with a  
12 board of education.

13 b. The policy of a board of education or a nonpublic school for  
14 the emergency administration of epinephrine to a student for  
15 anaphylaxis shall permit a school bus driver to administer  
16 epinephrine to a student when the following conditions are met:

17 (1) the student's parent or guardian has provided written  
18 authorization for a school bus driver to administer epinephrine to  
19 the student in an emergency;

20 (2) the student's parent or guardian has provided to the board of  
21 education or chief school administrator of a nonpublic school  
22 written orders from a physician or advanced practice nurse that the  
23 student requires the administration of epinephrine for anaphylaxis;

24 (3) the board or chief school administrator of a nonpublic school  
25 informs the student's parents or guardians in writing that the district  
26 and its employees or agents or the nonpublic school and its  
27 employees or agents, the school bus driver, and school bus  
28 contractor shall have no liability as a result of any injury arising  
29 from the administration of the epinephrine via a pre-filled auto-  
30 injector mechanism;

31 (4) the student's parents or guardians sign a statement  
32 acknowledging their understanding that the district or the nonpublic  
33 school, the school bus driver, and school bus contractor shall have  
34 no liability as a result of any injury arising from the administration  
35 of the epinephrine via a pre-filled auto-injector mechanism to the  
36 student and that the parents or guardians shall indemnify and hold  
37 harmless the district and its employees or agents or the nonpublic  
38 school and its employees or agents, the school bus driver, and  
39 school bus contractor against any claims arising out of the  
40 administration of the epinephrine via a pre-filled auto-injector  
41 mechanism; and

42 (5) the school bus driver has been properly trained in the  
43 administration of epinephrine via a pre-filled auto-injector  
44 mechanism using standardized training protocols established  
45 pursuant to subsection a. of section 2 of P.L.1997, c.368 (C.18A:40-  
46 12.6). The training shall be conducted by an entity or individual  
47 approved by the Department of Health.

**S133 DIEGNAN, BEACH**

1       The written permission of the student’s parent or guardian shall  
2 be effective for the school year for which it is granted and may be  
3 renewed for each subsequent school year upon fulfillment of the  
4 requirements in this subsection.

5       c. Nothing in this section shall be construed to prohibit the  
6 emergency administration of epinephrine to a student for  
7 anaphylaxis by a school bus driver when the student is authorized to  
8 self-administer epinephrine pursuant to section 1 of P.L.1993, c.308  
9 (C.18A:40-12.3).

10       d. No school bus driver, school district, nonpublic school, or  
11 school bus contractor that provides pupil transportation services  
12 under contract with a board of education shall be held liable for any  
13 good faith act or omission consistent with the provisions of this  
14 section. Good faith shall not include willful misconduct, gross  
15 negligence, or recklessness.

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17       2. The State Board of Education shall promulgate regulations  
18 pursuant to the “Administrative Procedure Act,” P.L.1968, c.410  
19 (C.52:14B-1 et seq.), necessary to effectuate the provisions of this  
20 act.

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22       3. This act shall take effect immediately and shall first apply to  
23 the first full school year following the date of enactment.