

118TH CONGRESS
2D SESSION

S. 3575

To amend the Public Health Service Act to give a preference, with respect to project grants for preventive health services, for States that allow all trained individuals to carry and administer epinephrine, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 10, 2024

Mr. BRAUN (for himself and Mr. PETERS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Public Health Service Act to give a preference, with respect to project grants for preventive health services, for States that allow all trained individuals to carry and administer epinephrine, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as “Dillon’s Law”.

1 **SEC. 2. PREFERENCE FOR STATES THAT ALLOW ALL**
2 **TRAINED INDIVIDUALS TO CARRY AND AD-**
3 **MINISTER EPINEPHRINE.**

4 Section 317 of the Public Health Service Act (42
5 U.S.C. 247b) is amended by adding at the end the fol-
6 lowing:

7 “(o) PREFERENCE.—

8 “(1) IN GENERAL.—In awarding grants under
9 this section, the Secretary shall give preference to
10 any State that—

11 “(A) permits all trained individuals to
12 carry and administer epinephrine to any indi-
13 vidual reasonably believed to be having an
14 anaphylactic reaction; and

15 “(B) provides to the Secretary the certifi-
16 cation described in paragraph (2).

17 “(2) CIVIL LIABILITY PROTECTION LAW.—The
18 certification described in this paragraph is a certifi-
19 cation made by the attorney general of the State
20 that the State—

21 “(A) has a civil liability protection law;

22 “(B) has reviewed such law to determine
23 the application of such law with regard to a
24 trained individual who may administer epineph-
25 rine to another individual reasonably believed to
26 be having an anaphylactic reaction; and

1 “(C) has concluded that such law provides
2 adequate civil liability protection applicable to
3 such a trained individual.

4 “(3) RULE OF CONSTRUCTION.—Nothing in
5 this subsection creates a cause of action or in any
6 other way increases or diminishes the liability of any
7 person under any other law.

8 “(4) DEFINITIONS.—For purposes of this sub-
9 section:

10 “(A) The term ‘civil liability protection
11 law’ means a State law offering liability protec-
12 tion to individuals who give aid on a voluntary
13 basis in an emergency to an individual who is
14 ill, in peril, or otherwise incapacitated.

15 “(B) The term ‘trained individual’ means
16 an individual—

17 “(i) who has received training in the
18 administration of epinephrine; and

19 “(ii) whose training in the administra-
20 tion of epinephrine meets appropriate med-
21 ical standards and has been approved by
22 the State.”.

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