

ARKANSAS SENATE
89th General Assembly - Regular Session, 2013
Amendment Form

Subtitle of Senate Bill No. 1173

CONCERNING THE ADMINISTRATION OF EPINEPHRINE TO CHILDREN EXPERIENCING A LIFE-
THREATENING ANAPHYLACTIC REACTION DUE TO FOOD ALLERGIES.

Amendment No. 1 to Senate Bill No. 1173

Amend Senate Bill No. 1173 as originally introduced:

Page 1, delete lines 8 through 11 and substitute:

"AN ACT CONCERNING THE ADMINISTRATION OF EPINEPHRINE TO CHILDREN EXPERIENCING A LIFE-THREATENING ANAPHYLACTIC REACTION DUE TO FOOD ALLERGIES BY SCHOOL PERSONNEL; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute:

"CONCERNING THE ADMINISTRATION OF EPINEPHRINE TO CHILDREN EXPERIENCING A LIFE-THREATENING ANAPHYLACTIC REACTION DUE TO FOOD ALLERGIES BY SCHOOL PERSONNEL."

AND

Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code § 6-18-707, concerning prescription asthma inhaler or auto-injectable epinephrine, is amended to add additional subsections to read as follows:

(e) Beginning January 1, 2014, a school district in this state shall adopt and implement policies for the possession and administration of epinephrine in each school within the district that shall be administered by a school nurse or a school district employee who is authorized and trained in the administration of epinephrine to any student believed to be having an anaphylactic reaction.

(f) A licensed physician shall issue a certificate under the Insect Stings and Other Allergic Reactions Emergency Treatments Act, § 20-13-401 et seq., authorizing a school nurse or school district employee who is authorized and trained in the administration of epinephrine to possess and administer epinephrine and specifying the circumstances under which



epinephrine may be administered.

(g) A school or school district may develop a health plan to implement a certificate from a licensed physician under subsection (f) of this section.

SECTION 2. Arkansas Code § 17-87-103, concerning exceptions to the nurse practice act, is amended to add an additional subdivision to read as follows:

(13)(A) The administration of epinephrine to a student believed to be having an anaphylactic reaction by a school district employee designated as a care provider in a plan developed under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C § 701 et seq., or the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq., as each existed on January 1, 2013, who has been trained by a licensed nurse employed by a school district or other health-care professional to administer epinephrine to a child believed to be having an anaphylactic reaction.

(B) A school or school district shall obtain a certificate from a licensed physician authorizing a school nurse or school district employee who is authorized and trained in the administration of epinephrine to possess and administer epinephrine and specifying the circumstances under which epinephrine may be administered.

(C)(i) A licensed nurse employed by a school district or other healthcare professional shall train annually school district employees designated as care providers in a plan developed under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C § 701 et seq., or the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq., as each existed on January 1, 2013, to administer epinephrine to a student believed to be having an anaphylactic reaction.

(ii) A school or school district shall not administer epinephrine to a student unless the parents or guardian of the student has signed an authorization to allow the administration of epinephrine to the student by the school nurse or school district employee designated as care providers.

(iii) The school district shall maintain:

(a) A copy of the plan developed under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C § 701 et seq., or the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq., as each existed on January 1, 2013;

(b) A list of volunteer school personnel who are designated as care providers and trained to administer epinephrine; and

(c) A copy of the signed authorization for each student by a parent or guardian.

(D) A school district, school district employee, or an agent of a school district, including a healthcare professional who trains school district employees designated as care providers, is not liable for injury to a student caused by his or her actions or inactions under this section.

(E) The Arkansas State Board of Nursing and the State Board of Education shall promulgate rules necessary to administer this subdivision (13)."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Rapert

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Secretary