

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

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**Subtitle of Senate Bill No. 1173**

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

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**Amendment No. 2 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 BY SCHOOL PERSONNEL TO CHILDREN EXPERIENCING A LIFE-THREATENING ANAPHYLACTIC REACTION DUE TO FOOD ALLERGIES; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute:

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

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:

(1) Adopt and implement policies for the possession and administration of epinephrine in each school within the district; and

(2) Develop a health plan to implement a certificate from a licensed physician under subsection (g) of this section.

(f) Epinephrine shall be administered:

(1)(A) By a school nurse; or

(B) By a school district employee who holds a certificate under subsection (g) of this section, is trained in the administration of epinephrine and is designated as a care provider; and

(2) To a student believed to be having a life-threatening anaphylactic reaction.



(g)(1) A licensed physician shall issue a certificate under the Insect Sting and Other Allergic Reactions Emergency Treatment Act, § 20-13-401 et seq., authorizing a school nurse or a school district employee who is trained in the administration of epinephrine to possess and administer epinephrine.

(2) The certificate shall specify that specifies the circumstances under which epinephrine may be administered.

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 child or student believed to be exhibiting 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 healthcare professional to administer epinephrine to a child or student believed to be having an anaphylactic reaction.

(B) A school or school district shall obtain a certificate from a licensed physician:

(i) Authorizing a school nurse or a school district employee who is authorized and trained in the administration of epinephrine to possess and administer epinephrine; and

(ii) 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 child or student believed to be having an anaphylactic reaction.

(ii)(a) In a life-threatening emergency, a school nurse or a school district employee designated as a care provider may administer epinephrine to a child or student if it is believed that the child or student's life is threatened.

(b) However, a school district shall not administer epinephrine to a child or student if the parent or guardian of the child or student provides written notice with the school district that prohibits the administration of epinephrine to the child or student by the school nurse or a school district employee designated as a care provider.

(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 written notice of a parent or guardian prohibiting the administration of epinephrine to a child or student even in a life-threatening emergency.

(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