

A-Engrossed
Senate Bill 611

Ordered by the Senate March 22
Including Senate Amendments dated March 22

Sponsored by COMMITTEE ON HEALTH CARE AND HUMAN SERVICES

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Directs State Board of Education to adopt rules for administration of premeasured doses of epinephrine and to adopt guidelines for management of students with life-threatening food allergies. Directs school district boards to adopt policies and procedures based on rules *[and guidelines]* adopted by State Board of Education.

[Directs Oregon Health Authority to establish registration system to authorize public and private entities to store multiple premeasured doses of epinephrine.]

Allows entity that employs specified persons to acquire premeasured doses of epinephrine for administration in emergency situation.

Declares emergency, effective July 1, 2013.

A BILL FOR AN ACT

1
2 Relating to severe allergies; amending ORS 339.867, 339.869 and 433.825; and declaring an emer-
3 gency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 339.867 is amended to read:

6 339.867. As used in ORS 339.869 and 339.870, "medication" means *[noninjectable]* medication **that**
7 **is not injected, except for premeasured doses of epinephrine that are injected.**

8 **SECTION 2.** ORS 339.869 is amended to read:

9 339.869. (1) The State Board of Education, in consultation with the Oregon Health Authority, the
10 Oregon State Board of Nursing and the State Board of Pharmacy, shall adopt:

11 (a) Rules for the administration of prescription and nonprescription medication to students by
12 trained school personnel and for student self-medication. The rules shall include age appropriate
13 guidelines and training requirements for school personnel.

14 (b) **Rules for the administration of premeasured doses of epinephrine by school personnel**
15 **trained as provided by ORS 433.815 to any student or other individual on school premises who**
16 **the personnel believe in good faith is experiencing a severe allergic reaction, regardless of**
17 **whether the student or individual has a prescription for epinephrine.**

18 (c) **Guidelines for the management of students with life-threatening food allergies, which**
19 **must include:**

20 (A) **Standards for the education and training of school personnel to manage students with**
21 **life-threatening allergies.**

22 (B) **Procedures for responding to life-threatening allergic reactions.**

23 (C) **A process for the development of individualized health care and allergy plans for ev-**
24 **ery student with a known life-threatening allergy.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **(D) Protocols for preventing exposures to allergens.**

2 (2)(a) School district boards shall adopt policies and procedures that provide for:

3 **(A)** The administration of prescription and nonprescription medication to students by trained
4 school personnel [*and for*];

5 **(B)** Student self-medication[.]; **and**

6 **(C) The administration of premeasured doses of epinephrine to students and other indi-**
7 **viduals.**

8 **(b)** [*Such*] Policies and procedures **adopted under paragraph (a) of this subsection** shall be
9 consistent with the rules adopted by the State Board of Education under subsection (1) of this sec-
10 tion. A school district board shall not require school personnel who have not received appropriate
11 training to administer medication.

12 **SECTION 3.** ORS 433.825 is amended to read:

13 433.825. (1)(a) A person who has successfully completed educational training described in ORS
14 433.815 for severe allergic responses may receive from any health care professional with appropriate
15 prescriptive privileges licensed under ORS chapter 677 or 678 in this state a prescription for pre-
16 measured doses of epinephrine and the necessary paraphernalia for administration.

17 **(b) An entity that employs a person described in paragraph (a) of this subsection may**
18 **acquire premeasured doses of epinephrine and the necessary paraphernalia for adminis-**
19 **tration in accordance with paragraph (c) of this subsection. A health care practitioner with**
20 **appropriate prescriptive privileges licensed under ORS chapter 677 or 678 may write a pre-**
21 **scription for premeasured doses of epinephrine and the necessary paraphernalia in the name**
22 **of an entity that employs a person described in paragraph (a) of this subsection.**

23 (c) [*The*] A person **described in paragraph (a) of this subsection** may possess and
24 administer, in an emergency situation when a licensed health care professional is not immediately
25 available, [*such*] prescribed epinephrine to any person suffering a severe allergic response.

26 (2) A person who has successfully completed educational training in the administration of
27 glucagon as described in ORS 433.815 for hypoglycemia may receive from the parent or guardian
28 of a student doses of glucagon prescribed by a health care professional with appropriate prescriptive
29 privileges licensed under ORS chapter 677 or 678 in this state, as well as the necessary parapher-
30 nalia for administration. The person may possess and administer glucagon to the student for whom
31 the glucagon is prescribed, if the student is suffering a severe hypoglycemic reaction in an emer-
32 gency situation when a licensed health care professional is not immediately available and other
33 treatment has failed or cannot be initiated.

34 **SECTION 4. This 2013 Act being necessary for the immediate preservation of the public**
35 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
36 **July 1, 2013.**