

**PROPOSED AMENDMENTS TO  
A-ENGROSSED SENATE BILL 611**

1 On page 1 of the printed A-engrossed bill, line 2, after “339.869” insert “,  
2 339.871”.

3 On page 2, after line 33, insert:

4 **“SECTION 4.** If House Bill 2749 becomes law, ORS 339.871, as amended  
5 by section 2, chapter \_\_\_\_\_, Oregon Laws 2013 (Enrolled House Bill 2749),  
6 is amended to read:

7 “339.871. (1) A school administrator, school nurse, teacher or other school  
8 employee designated by the school administrator is not liable in a criminal  
9 action or for civil damages as a result of a student’s [*use*] **self-**  
10 **administration** of medication, as described in ORS 339.866, if the school  
11 administrator, school nurse, teacher or other school employee, in compliance  
12 with the instructions of the student’s Oregon licensed health care profes-  
13 sional, in good faith[:]

14 “[*(a)*] assists the student’s self-administration of the medication, if the  
15 medication is available to the student pursuant to written permission and  
16 instructions of the student’s parent, guardian or Oregon licensed health care  
17 professional. [; *or*]

18 “[*(b)*] **(2) A school administrator, school nurse, teacher or other**  
19 **school employee designated by the school administrator is not liable**  
20 **in a criminal action or for civil damages as a result of the use of**  
21 **medication if the school administrator, school nurse, teacher or other**  
22 **school employee in good faith** administers autoinjectable epinephrine to

1 a student **or other individual** with a severe allergy who is unable to self-  
2 administer the medication[, *if the autoinjectable epinephrine is available for*  
3 *the student pursuant to written permission and instructions of the student's*  
4 *parent, guardian or Oregon licensed health care professional*], **regardless of**  
5 **whether the student or individual has a prescription for epinephrine.**

6 “[2)] (3) A school district and the members of a school district board are  
7 not liable in a criminal action or for civil damages as a result of [*a*  
8 *student's*] **the** use of medication[, *as described in ORS 339.866,*] if:

9 “(a) Any person in good faith administers autoinjectable epinephrine to  
10 a student **or other individual** with a severe allergy who is unable to self-  
11 administer the medication[;], **regardless of whether the student or indi-**  
12 **vidual has a prescription for epinephrine; and**

13 “(b) The person administered the autoinjectable epinephrine **on school**  
14 **premises, including** at a school, on school property under the jurisdiction  
15 of the district or at an activity under the jurisdiction of the school  
16 district. [; *and*]

17 “[c) *The autoinjectable epinephrine is available for the student pursuant*  
18 *to written permission and instructions of the student's parent, guardian or*  
19 *Oregon licensed health care professional.*]

20 “[3)] (4) The civil and criminal immunities imposed by this section do  
21 not apply to an act or omission amounting to gross negligence or willful and  
22 wanton misconduct.”.

23 In line 34, delete “4” and insert “5”.

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