

FINAL BILL REPORT

ESB 5104

C 268 L 13
Synopsis as Enacted

Brief Description: Placing epinephrine autoinjectors in schools.

Sponsors: Senators Mullet, Frockt, Hatfield, Litzow, Ericksen, Fain and Kohl-Welles.

Senate Committee on Early Learning & K-12 Education

House Committee on Education

House Committee on Appropriations Subcommittee on Education

Background: An epinephrine autoinjector is a medical device used to deliver a measured dose of epinephrine, also known as adrenaline, using autoinjector technology, most frequently for the treatment of acute allergic reactions to avoid or treat the onset of anaphylactic shock.

An autoinjector is a medical device designed to deliver a single dose of a particular, typically life-saving, drug. Most autoinjectors are spring-loaded syringes.

Anaphylactic shock is a serious allergic reaction that is rapid in onset and may cause death. It typically causes a number of symptoms including an itchy rash, throat swelling, and low blood pressure. Common causes include insect bites or stings, foods, and medications.

Trade names for an epinephrine autoinjector device include EpiPen, Twinject, Adrenaclick, Anapen, Jext, Allerject, and Auvi-Q.

Summary: School districts and nonpublic schools are allowed to maintain a supply of epinephrine autoinjectors at schools. Licensed health professionals with prescription authority may prescribe epinephrine autoinjectors in the name of the school district or school that can be maintained for use at the school. Epinephrine prescriptions must have a standing order for the administration of school-supplied, undesignated epinephrine autoinjectors for potentially life-threatening allergic reactions. Epinephrine autoinjectors may be donated to schools, but must be accompanied by a prescription.

If a student does have a prescription for epinephrine, the school nurse or designated trained school personnel may administer an epinephrine autoinjector maintained by the school to respond to an anaphylactic reaction under a standing protocol.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

If a student does not have a prescription for epinephrine, the school nurse may administer an epinephrine autoinjector maintained by the school.

Epinephrine autoinjectors may be used on school property, including the school bus, and during sanctioned trips away from school property. The school nurse or designated trained school personnel may carry epinephrine autoinjectors on these trips.

If a student is harmed due to the administration of epinephrine:

- licensed health professionals and pharmacists may not be liable for the injury unless they issued the prescription with a conscious disregard for safety; and
- school employees, schools, school districts, the governing board, and the chief administrator are not liable if the school employee administering the epinephrine did so in substantial compliance with a prescription and policies of the district.

School employees, except licensed nurses, who do not agree in writing to using epinephrine autoinjectors as part of their job description, may file with the school district a written letter of refusal to use epinephrine autoinjectors. This letter may not serve as grounds for actions negatively affecting the employee's contract status.

The Office of Superintendent of Public Instruction must make a recommendation to the Legislature by December 1, 2013, regarding whether to designate other trained school employees to administer epinephrine autoinjectors to students without prescriptions when a school nurse is not in the vicinity.

Votes on Final Passage:

Senate	48	0	
House	96	0	(House amended)
Senate	47	0	(Senate concurred)

Effective: July 28, 2013.