
SENATE BILL 6013

State of Washington

63rd Legislature

2014 Regular Session

By Senators Mullet and Tom

Read first time 01/13/14. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to making a technical correction to school law
2 governing the use of epinephrine autoinjectors; and amending RCW
3 28A.210.383.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 28A.210.383 and 2013 c 268 s 2 are each amended to
6 read as follows:

7 (1) School districts and nonpublic schools may maintain at a school
8 in a designated location a supply of epinephrine autoinjectors based on
9 the number of students enrolled in the school.

10 (2)(a) A licensed health professional with the authority to
11 prescribe epinephrine autoinjectors may prescribe epinephrine
12 autoinjectors in the name of the school district or school to be
13 maintained for use when necessary. Epinephrine prescriptions must be
14 accompanied by a standing order for the administration of school-
15 supplied, undesignated epinephrine autoinjectors for potentially life-
16 threatening allergic reactions.

17 (b) There are no changes to current prescription or self-
18 administration practices for children with existing epinephrine
19 autoinjector prescriptions or a guided anaphylaxis care plan.

1 (c) Epinephrine autoinjectors may be obtained from donation
2 sources, but must be accompanied by a prescription.

3 (3)(a) When a student has a prescription for an epinephrine
4 autoinjector on file, the school nurse or designated trained school
5 personnel may utilize the school district or school supply of
6 epinephrine autoinjectors to respond to an anaphylactic reaction under
7 a standing protocol according to RCW ((~~28A.210.300~~)) 28A.210.380.

8 (b) When a student does not have an epinephrine autoinjector or
9 prescription for an epinephrine autoinjector on file, the school nurse
10 may utilize the school district or school supply of epinephrine
11 autoinjectors to respond to an anaphylactic reaction under a standing
12 protocol according to RCW 28A.210.300.

13 (c) Epinephrine autoinjectors may be used on school property,
14 including the school building, playground, and school bus, as well as
15 during field trips or sanctioned excursions away from school property.
16 The school nurse or designated trained school personnel may carry an
17 appropriate supply of school-owned epinephrine autoinjectors on field
18 trips or excursions.

19 (4)(a) If a student is injured or harmed due to the administration
20 of epinephrine that a licensed health professional with prescribing
21 authority has prescribed and a pharmacist has dispensed to a school
22 under this section, the licensed health professional with prescribing
23 authority and pharmacist may not be held responsible for the injury
24 unless he or she issued the prescription with a conscious disregard for
25 safety.

26 (b) In the event a school nurse or other school employee
27 administers epinephrine in substantial compliance with a student's
28 prescription that has been prescribed by a licensed health professional
29 within the scope of the professional's prescriptive authority, if
30 applicable, and written policies of the school district or private
31 school, then the school employee, the employee's school district or
32 school of employment, and the members of the governing board and chief
33 administrator thereof are not liable in any criminal action or for
34 civil damages in their individual, marital, governmental, corporate, or
35 other capacity as a result of providing the epinephrine.

36 (c) School employees, except those licensed under chapter 18.79
37 RCW, who have not agreed in writing to the use of epinephrine
38 autoinjectors as a specific part of their job description, may file

1 with the school district a written letter of refusal to use epinephrine
2 autoinjectors. This written letter of refusal may not serve as grounds
3 for discharge, nonrenewal of an employment contract, or other action
4 adversely affecting the employee's contract status.

5 (5) The office of the superintendent of public instruction shall
6 review the anaphylaxis policy guidelines required under RCW 28A.210.380
7 and make a recommendation to the education committees of the
8 legislature by December 1, 2013, based on student safety, regarding
9 whether to designate other trained school employees to administer
10 epinephrine autoinjectors to students without prescriptions for
11 epinephrine autoinjectors demonstrating the symptoms of anaphylaxis
12 when a school nurse is not in the vicinity.

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