
ENGROSSED SUBSTITUTE HOUSE BILL 1608

State of Washington

68th Legislature

2024 Regular Session

By House Education (originally sponsored by Representatives Bronoske, Simmons, Duerr, Ramel, Wylie, Paul, Jacobsen, Macri, Kloba, Leavitt, and Reed)

READ FIRST TIME 01/22/24.

1 AN ACT Relating to expanding access to anaphylaxis medications in
2 schools; amending RCW 28A.210.383; and adding a new section to
3 chapter 43.70 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.70
6 RCW to read as follows:

7 The secretary or the secretary's designee, if a licensed health
8 professional with the authority to prescribe epinephrine, shall, as
9 is consistent with the exercise of sound professional judgment, issue
10 a statewide standing order prescribing epinephrine and epinephrine
11 autoinjectors to any school district or school for use by a school
12 nurse or other designated trained school personnel, as authorized
13 under RCW 28A.210.383, for any student or individual experiencing
14 anaphylaxis on school property, a school bus, a field trip, or
15 designated school activity.

16 **Sec. 2.** RCW 28A.210.383 and 2014 c 34 s 1 are each amended to
17 read as follows:

18 (1) School districts and nonpublic schools may maintain at a
19 school in a designated location a supply of epinephrine and

1 epinephrine autoinjectors based on the number of students enrolled in
2 the school.

3 (2) (a) A licensed health professional with the authority to
4 prescribe epinephrine (~~(autoinjectors)~~), including, but not limited
5 to, the secretary of health or the secretary's designee in accordance
6 with section 1 of this act, may prescribe epinephrine, including
7 epinephrine autoinjectors, in the name of the school district or
8 school to be maintained for use when necessary. Epinephrine
9 prescriptions must be accompanied by a standing order issued in
10 accordance with this section or section 1 of this act for the
11 administration of school-supplied, undesignated epinephrine and
12 epinephrine autoinjectors for potentially life-threatening allergic
13 reactions.

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

17 (c) Epinephrine and epinephrine autoinjectors may be obtained
18 from donation sources, but must be accompanied by a prescription.

19 (3) (a) When a student has a prescription for an epinephrine
20 autoinjector on file, the school nurse (~~(or)~~) may utilize the school
21 district or school supply of epinephrine and the school nurse and the
22 designated trained school personnel may utilize the school district
23 or school supply of epinephrine autoinjectors to respond to an
24 anaphylactic reaction under a standing protocol according to RCW
25 28A.210.380.

26 (b) When a student does not have an epinephrine autoinjector or
27 prescription for an epinephrine autoinjector on file, the school
28 nurse may utilize the school district or school supply of epinephrine
29 or epinephrine autoinjectors to respond to an anaphylactic reaction
30 under a standing protocol according to RCW (~~(28A.210.300)~~)
31 28A.210.380.

32 (c) Epinephrine and epinephrine autoinjectors may be used on
33 school property, including the school building, playground, and
34 school bus, as well as during field trips or sanctioned excursions
35 away from school property. The school nurse or designated trained
36 school personnel may carry an appropriate supply of school-owned
37 epinephrine or epinephrine autoinjectors on field trips or
38 excursions.

39 (4) (a) If a student is injured or harmed due to the
40 administration of epinephrine that a licensed health professional

1 with prescribing authority has prescribed and a pharmacist has
2 dispensed to a school under this section, the licensed health
3 professional with prescribing authority and pharmacist may not be
4 held responsible for the injury unless he or she issued the
5 prescription with a conscious disregard for safety.

6 (b) In the event a school nurse or other school employee
7 administers epinephrine in substantial compliance with a student's
8 prescription that has been prescribed by a licensed health
9 professional within the scope of the professional's prescriptive
10 authority or by statewide standing order in accordance with section 1
11 of this act, if applicable, and written policies of the school
12 district or private school, then the school employee, the employee's
13 school district or school of employment, and the members of the
14 governing board and chief administrator thereof are not liable in any
15 criminal action or for civil damages in their individual, marital,
16 governmental, corporate, or other capacity as a result of providing
17 the epinephrine.

18 (c) School employees, except those licensed under chapter 18.79
19 RCW, who have not agreed in writing to the use of epinephrine
20 autoinjectors as a specific part of their job description, may file
21 with the school district a written letter of refusal to use
22 epinephrine autoinjectors. This written letter of refusal may not
23 serve as grounds for discharge, nonrenewal of an employment contract,
24 or other action adversely affecting the employee's contract status.

25 ~~((5) The office of the superintendent of public instruction~~
26 ~~shall review the anaphylaxis policy guidelines required under RCW~~
27 ~~28A.210.380 and make a recommendation to the education committees of~~
28 ~~the legislature by December 1, 2013, based on student safety,~~
29 ~~regarding whether to designate other trained school employees to~~
30 ~~administer epinephrine autoinjectors to students without~~
31 ~~prescriptions for epinephrine autoinjectors demonstrating the~~
32 ~~symptoms of anaphylaxis when a school nurse is not in the vicinity.))~~

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