
HOUSE BILL 1608

State of Washington

68th Legislature

2023 Regular Session

By Representatives Bronoske, Simmons, Duerr, Ramel, Wylie, Paul, Jacobsen, Macri, Kloba, Leavitt, and Reed

Read first time 01/26/23. Referred to Committee on Education.

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 shall issue a statewide
8 standing order prescribing epinephrine and epinephrine autoinjectors
9 to any school district or school for use by a school nurse or other
10 designated trained school personnel, as authorized under RCW
11 28A.210.383, for any student or individual experiencing anaphylaxis
12 on school property, a school bus, a field trip, or designated school
13 activity.

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

16 (1) School districts and nonpublic schools may maintain at a
17 school in a designated location a supply of epinephrine and
18 epinephrine autoinjectors based on the number of students enrolled in
19 the school.

1 (2) (a) A licensed health professional with the authority to
2 prescribe epinephrine (~~autoinjectors~~) may prescribe epinephrine,
3 including epinephrine autoinjectors, in the name of the school
4 district or school to be maintained for use when necessary.
5 Epinephrine prescriptions must be accompanied by a standing order
6 issued in accordance with this section or section 1 of this act for
7 the administration of school-supplied, undesignated epinephrine and
8 epinephrine autoinjectors for potentially life-threatening allergic
9 reactions.

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

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

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

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

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

35 (4) (a) If a student is injured or harmed due to the
36 administration of epinephrine that a licensed health professional
37 with prescribing authority has prescribed and a pharmacist has
38 dispensed to a school under this section, the licensed health
39 professional with prescribing authority and pharmacist may not be

1 held responsible for the injury unless he or she issued the
2 prescription with a conscious disregard for safety.

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

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

21 ~~((5) The office of the superintendent of public instruction
22 shall review the anaphylaxis policy guidelines required under RCW
23 28A.210.380 and make a recommendation to the education committees of
24 the legislature by December 1, 2013, based on student safety,
25 regarding whether to designate other trained school employees to
26 administer epinephrine autoinjectors to students without
27 prescriptions for epinephrine autoinjectors demonstrating the
28 symptoms of anaphylaxis when a school nurse is not in the vicinity.))~~

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