

HB 1784 -- EPINEPHRINE AUTO-INJECTORS

SPONSOR: Barnes

This bill allows a physician to prescribe epinephrine (EPI) auto-injectors in the name of an authorized entity for use in certain emergency situations and pharmacists, physicians, and other persons authorized to dispense prescription medications may dispense EPI auto-injectors under a prescription issued in the name of an authorized entity. An "authorized entity" is defined as any entity or organization at or in connection with which allergens capable of causing anaphylaxis may be present including, but not limited to, restaurants, recreation camps, youth sports leagues, amusement parks, and sports arenas.

An authorized entity may acquire and stock a supply of EPI auto-injectors under a prescription issued in accordance with the provisions of the bill. An employee or agent of an authorized entity or any other person who has completed the required training must be allowed to use the EPI auto-injector on the premises of or in connection with the authorized entity to provide it to any individual who the employee, agent, or other person believes in good faith is experiencing anaphylaxis regardless of whether the individual has a prescription for it or has been previously diagnosed with an allergy. The bill prohibits an employee or agent of an authorized entity from administering an EPI auto-injector to an individual under the age of 12 without oral consent from the child's parent or guardian. An employee or agent of an authorized entity may administer an EPI auto-injector to such an individual without parental or guardian consent if the parent or guardian is not physically present and the employee or agent reasonably believes the child is in imminent danger.

The bill specifies people and entities that cannot be held liable for any injuries or related damages that result from the administration of or failure to administer an EPI auto-injector to a person if such action or inaction constitutes ordinary negligence and limits such immunity as specified in the bill.

The bill specifies the procedures for an authorized entity to report on each incident involving the administration of an EPI auto-injector to the Department of Health and Senior Services. The department must annually publish a report that summarizes all submitted reports but must not include any identifying information regarding any individual to whom the injectors were administered.

The bill specifies the required training and the procedures necessary for making the EPI auto-injectors available to individuals other than trained persons so long as the auto-

injectors are stored in a locked secure container in accordance with the manufacturer's specifications and are made available only upon remote authorization by a physician.

This bill is similar to HB 96 (2015).