

AMENDED IN SENATE JUNE 22, 2000
AMENDED IN ASSEMBLY MAY 11, 2000
AMENDED IN ASSEMBLY MAY 1, 2000
AMENDED IN ASSEMBLY MARCH 30, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 1791

Introduced by Assembly Member Wiggins

January 26, 2000

An act to add Section 49414 to the Education Code, relating to school districts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1791, as amended, Wiggins. School districts: epinephrine auto-injectors.

Under existing law, the governing board of any school district is required to give diligent care to the health and physical development of pupils, and may employ properly certified persons for that work.

This bill would authorize a school district or county office of education to provide emergency epinephrine auto-injectors to trained personnel, and would authorize the trained personnel to utilize those epinephrine ~~auto-injectors~~ *auto-injectors* to provide emergency medical aid to persons suffering from an anaphylactic reaction. The bill would expressly authorize each public and private elementary and secondary school in the state to voluntarily determine

whether or not to make emergency epinephrine auto-injectors and trained personnel available at its school and to designate one or more school personnel to receive prescribed training regarding epinephrine auto-injectors from individuals in specified positions. The bill would require the ~~Emergency Medical Services Authority~~ *Superintendent of Public Instruction* to establish minimum standards of training for the administration of epinephrine auto-injectors and would encourage the ~~Emergency Medical Services Authority~~ *Superintendent of Public Instruction* to consult with *the State Department of Health Services*, organizations, and providers with expertise in administering epinephrine auto-injectors *and administering medication in a school environment* in developing those standards. The bill would authorize ~~a person who has received training regarding epinephrine auto-injectors~~ and school nurses *or, if the school does not have a school nurse, a person who has received training regarding epinephrine auto-injectors*, to obtain prescriptions for epinephrine auto-injectors from individuals in certain positions and to immediately administer an epinephrine auto-injector under certain circumstances. The bill would also require those individuals to initiate emergency medical services or other appropriate medical followup in accordance with written training materials.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 49414 is added to the Education
 2 Code, to read:
 3 49414. (a) A school district or county office of
 4 education may provide emergency epinephrine
 5 auto-injectors to trained personnel, and trained
 6 personnel may utilize those epinephrine auto-injectors to
 7 provide emergency medical aid to persons suffering from
 8 an anaphylactic reaction.
 9 (b) For purposes of this section, the following terms
 10 have the following meaning:



1 (1) “Anaphylaxis” means a potentially life-threatening
2 hypersensitivity to a substance.

3 (A) Symptoms of anaphylaxis may include shortness of
4 breath, wheezing, difficulty breathing, difficulty talking
5 or swallowing, hives, itching, swelling, shock, or asthma.

6 (B) Causes of anaphylaxis may include, but are not
7 limited to, an insect sting, food allergy, drug reaction, and
8 exercise.

9 (2) “Epinephrine auto-injector” means a disposable
10 drug delivery system with a spring-activated concealed
11 needle that is designed for emergency administration of
12 epinephrine to provide rapid, convenient first aid for
13 persons suffering a potentially fatal reaction to
14 anaphylaxis.

15 (c) Each public and private elementary and
16 secondary school in the state may voluntarily determine
17 whether or not to make emergency epinephrine
18 auto-injectors and trained personnel available at its
19 school. In making this determination, a school shall
20 evaluate the emergency medical response time to the
21 school and determine whether initiating emergency
22 medical services is an acceptable alternative to
23 epinephrine auto-injectors and trained personnel.

24 (d) Each public and private elementary and
25 secondary school in the state may designate one or more
26 school personnel on a voluntary basis to receive initial and
27 annual refresher training, based on the standards
28 developed pursuant to subdivision (e), regarding the
29 storage and emergency use of an epinephrine
30 auto-injector from the school nurse or other qualified
31 person designated by the school district physician, the
32 medical director of the local health department, or the
33 local emergency medical services director.

34 (e) (1) ~~The Emergency Medical Services Authority~~
35 ~~established pursuant to Section 1791.100 of the Health and~~
36 ~~Safety Code Superintendent of Public Instruction~~ shall
37 establish minimum standards of training for the
38 administration of epinephrine auto-injectors that satisfy
39 the requirements in paragraph (2). For purposes of this
40 subdivision, the ~~Emergency Medical Services Authority~~



1 *Superintendent of Public Instruction* is encouraged to
2 consult with organizations and providers with expertise
3 in administering epinephrine auto-injectors *and*
4 *administering medication in a school environment*,
5 including, but not limited to, *the State Department of*
6 *Health Services*, the American Academy of Allergy,
7 Asthma, and Immunology, the California School Nurses
8 ~~Association~~ *Organization*, the California Medical
9 Association, the American Academy of Pediatrics, and
10 others.

11 (2) Training established pursuant to this subdivision
12 shall include all of the following:

13 (A) Techniques for recognizing symptoms of
14 anaphylaxis.

15 (B) Standards and procedures for the storage and
16 emergency use of epinephrine auto-injectors.

17 (C) Emergency follow-up procedures, including
18 calling the emergency 911 phone number and contacting,
19 if possible, the pupil's parent and physician.

20 (D) Instruction and certification in cardiopulmonary
21 resuscitation.

22 (E) Written materials covering the information
23 required under this subdivision.

24 (3) A school shall retain for reference the written
25 materials prepared under subparagraph (D) of
26 paragraph (2).

27 ~~(f) A person who has received training as set forth in~~
28 ~~subdivision (d) or a school nurse may do the following:~~

29 *(f) A school nurse, or if the school does not have a*
30 *school nurse, a person who has received training pursuant*
31 *to subdivision (d), may do the following:*

32 (1) Obtain from the school district physician, the
33 medical director of the local health department, or the
34 local emergency medical services director a prescription
35 for epinephrine auto-injectors.

36 (2) Immediately administer an epinephrine
37 auto-injector to a person exhibiting potentially
38 life-threatening symptoms of anaphylaxis at school or a
39 school activity when a physician is not immediately
40 available.



1 (g) A person who has received training as set forth in
2 subdivision (d) or a school nurse shall initiate emergency
3 medical services or other appropriate medical follow-up
4 in accordance with the training materials retained
5 pursuant to paragraph (3) of subdivision (d).

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