

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE DRS15186-MK-81 (03/14)

Short Title: EPI Pens in Schools.

(Public)

Sponsors: Senator Brock (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE LOCAL BOARDS OF EDUCATION TO PROVIDE FOR A
3 SUPPLY OF EMERGENCY EPINEPHRINE AUTO-INJECTORS ON SCHOOL
4 PROPERTY FOR USE IN AN EMERGENCY.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. Article 25A of Chapter 115C of the General Statutes is amended by
7 adding a new section to read:

8 "**§ 115C-375.2A. School supply of epinephrine auto-injectors.**

9 (a) A local board of education shall provide for a supply of emergency epinephrine
10 auto-injectors on school property for use by trained school personnel to provide emergency
11 medical aid to persons suffering from an anaphylactic reaction. Each school shall store in a
12 secure but easily accessible location, a minimum of one epinephrine auto-injector for use in
13 different areas of the school, such as the school office, school cafeteria, or the school
14 gymnasium.

15 (b) For the purposes of this section and G.S. 115C-375.2, "epinephrine auto-injector"
16 means a disposable drug delivery system with a spring-activated, concealed needle that is
17 designed for emergency administration of epinephrine to provide rapid, convenient first aid for
18 persons suffering a potentially fatal reaction to anaphylaxis.

19 (c) The principal shall designate one or more school personnel, as part of the medical
20 care program under G.S. 115C-375.1, to receive initial training and annual retraining from a
21 school nurse or qualified representative of the local health department regarding the storage and
22 emergency use of an epinephrine auto-injector. The school nurse or other designated school
23 personnel who has received training under this subsection shall obtain a prescription for
24 epinephrine auto-injectors from the medical director of the local health department or the local
25 emergency medical services director in the local school administrative unit.

26 (d) The principal shall collaborate with appropriate school personnel to develop an
27 emergency action plan for the use of epinephrine auto-injectors in an emergency. The plan shall
28 include at least the following components:

29 (1) Standards and procedures for the storage and emergency use of epinephrine
30 auto-injectors.

31 (2) Techniques for recognizing symptoms of anaphylaxis.

32 (3) Emergency follow-up procedures, including calling emergency services and
33 contacting a student's parent and physician.

34 (4) Instruction and certification in cardiopulmonary resuscitation.

35 (e) A supply of emergency epinephrine auto-injectors provided in accordance with this
36 section shall not be used as a medication supply for students known to have a medical condition



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1 requiring the availability or use of an epinephrine auto-injector. Those students may be
2 authorized to possess and self-administer their asthma medication on school property under
3 G.S. 115C-375.2.

4 (f) No local board of education, nor its members, employees, designees, agents, or
5 volunteers, shall be liable in civil damages to any party for any act authorized by this section,
6 or for any omission relating to that act unless that act or omission amounts to gross negligence,
7 wanton conduct, or intentional wrongdoing."

8 **SECTION 2.** This act is effective when it becomes law and applies beginning with
9 the 2013-2014 school year.