

2022 Regular Session

HOUSE BILL NO. 417

BY REPRESENTATIVE HILFERTY

EARLY CHILDHOOD: Authorizes early learning centers to maintain a supply of auto-injectable epinephrine

1 AN ACT

2 To enact R.S. 17:407.50.2, relative to licensed early learning centers; to provide with respect
3 to the administration of medication; to authorize the maintenance of a supply of auto-
4 injectable epinephrine; to provide for definitions; to provide for effectiveness; and
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:407.50.2 is hereby enacted to read as follows:

8 §407.50.2. Administration of auto-injectable epinephrine; definition; conditions;
9 exceptions

10 A. Notwithstanding any provision of law to the contrary, the head of each
11 early learning center shall adopt a policy authorizing a trained early learning center
12 employee to administer auto-injectable epinephrine, as defined in Paragraph (B)(3)
13 of this Section, to a child who the trained early learning center employee, in good
14 faith, professionally believes is having an anaphylactic reaction, whether or not such
15 child has a prescription for epinephrine. At least one employee at each early learning
16 center shall receive training from a registered nurse or a licensed medical physician
17 or state-approved training course in the administration of auto-injectable
18 epinephrine. The trained employee may administer the auto-injectable epinephrine
19 to respond to a child's anaphylactic reaction under a standing protocol from a
20 physician licensed to practice medicine in the state.

1 B.(1) Each early learning center may maintain a supply of auto-injectable
2 epinephrine at the center in a secure and easily accessible location. A licensed
3 physician may prescribe epinephrine auto-injectors in the name of the early learning
4 center to be maintained for use when deemed necessary pursuant to the provisions
5 of this Section.

6 (2) Each early learning center shall distribute the policy required by this
7 Section to all parents or other legal guardians.

8 (3) For the purposes of this Section, "auto-injectable epinephrine" means a
9 medical device for the immediate self-administration or assisted-administration of
10 epinephrine by or to a person at risk for anaphylaxis.

11 C. The following are not liable for damages in a civil action for injury, death,
12 or loss to person or property that allegedly arises from an act or omission associated
13 with epinephrine training, unless the act or omission constitutes willful or wanton
14 misconduct:

15 (1) A licensed early learning center.

16 (2) An employee of a licensed early learning center.

17 (3) A licensed health professional authorized to prescribe drugs who
18 personally furnishes or prescribes epinephrine auto-injectors to or consults with an
19 early learning center.

20 (4) A state-recognized anaphylaxis training organization and its personnel.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 417 Original

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Hilferty

Abstract: Authorizes early learning centers to maintain a supply of auto-injectable epinephrine for emergency use.

Proposed law requires early learning centers to adopt a policy authorizing the emergency administration of auto-injectable epinephrine.

Proposed law requires early learning centers to provide all parents with a copy of this policy.

Proposed law further requires at least one employee to receive training from a licensed medical professional or state-approved training course in the administration of auto-injectable epinephrine.

Proposed law authorizes early learning centers to maintain a supply of auto-injectable epinephrine.

Proposed law provides liability protection for licensed early learning centers, employees of licensed early learning centers, licensed medical professionals who prescribe epinephrine auto-injectors to licensed early learning centers, and state-recognized anaphylaxis training organizations and their personnel.

(Adds R.S. 17:407.50.2)