SLS 22RS-671 ORIGINAL

2022 Regular Session

SENATE BILL NO. 407

BY SENATOR BOUIE

SCHOOLS. Requires schools to store epinephrine in the classrooms of certain students. (gov sig)

1	AN ACT

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To enact R.S. 17:436.1(N), relative to the administration of medication at public schools; to require public school governing authorities to adopt a policy requiring the storage of auto-injectable epinephrine in certain classrooms; to provide for teachers in those classrooms be provided certain information; to provide for notification of the policy; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:436.1(N) is hereby enacted to read as follows:

§436.1. Administration of medication; definition; conditions; restrictions; exceptions

* * *

N.(1) Notwithstanding any provision of law or any rule, regulation, or policy to the contrary, the governing authority of each public elementary and secondary school shall adopt a policy to maintain a supply of auto-injectable epinephrine, as defined in Subparagraph (J)(4)(a) of this Section, in a secure location in each classroom assigned to a student who is deemed by his physician to be at high risk for anaphylactic reaction and incapable of self-administration of auto-injectable epinephrine.

1	(2) The policy shall require the student's parent or other legal guardian
2	to annually provide the school in which the student is enrolled with:
3	(a) The supply of auto-injectable epinephrine to be kept in each
4	classroom.
5	(b) Written authorization for the student to be administered the
6	medication.
7	(c) Written certification from the student's licensed medical physician
8	or other authorized prescriber that the student is at high risk of having
9	anaphylaxis and is not capable of self-administration of auto-injectable
10	epinephrine.
11	(d) A written treatment plan, as defined in Subparagraph (J)(1)(c) of this
12	Section, from the student's licensed medical physician or other authorized
13	prescriber for managing anaphylactic episodes.
14	(3) The documentation required by this Subsection shall be kept on file
15	in the office of the school nurse or other designated school official.
16	(4) The teacher in each classroom where auto-injectable epinephrine is
17	stored shall be provided information regarding accessing and administering
18	auto-injectable epinephrine, the signs and symptoms of anaphylactic reactions,
19	and specific information regarding condition, care, and treatment of the student
20	assigned to the classroom who is at high risk of anaphylactic reaction.
21	(5) The governing authority of the public elementary and secondary
22	school shall inform the parent or other legal guardian of the student in writing
23	that the school and its employees shall incur no liability as a result of any injury
24	sustained by the student from the good-faith administration of auto-injectable
25	epinephrine. The parent or other legal guardian of the student shall sign a
26	statement acknowledging that the school shall incur no liability and that the
27	parent or other legal guardian shall indemnify and hold harmless the school and
28	its employees against any claims that may arise relating to the good-faith
29	administration of auto-injectable epinephrine.

(6) Each school shall include the policy required by this Subsection in its
student handbook and post such policy on the school's website, if it has one.
Such policy shall also be disclosed to any parent or other legal guardian who
notifies the school in which the student is enrolled, in writing, that the student
has a condition which puts him at risk of anaphylaxis.
(7) The provisions of this Subsection shall be known and may be cited as
the Louis Williams, Junior Act.
Section 2. This Act shall become effective upon signature by the governor or, if not
signed by the governor, upon expiration of the time for bills to become law without signature
by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
vetoed by the governor and subsequently approved by the legislature, this Act shall become
effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Cheryl Serrett.

DIGEST 2022 Regular Session

Bouie

SB 407 Original

<u>Present law</u> limits the storage and administration of medication in public schools. Allows for the self-administration of auto-injectable epinephrine by certain students. Further requires public schools to adopt policies authorizing to maintain a supply of auto-injectable epinephrine and to allow certain employees to administer, in good faith, the epinephrine to a student believed to be having an anaphylactic reaction.

<u>Proposed law</u> requires public school governing authorities to adopt policies requiring that auto-injectable epinephrine be maintained in certain classrooms. Further requires notification of the policies.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 17:436.1(N))