

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

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

7 Be it enacted by the Legislature of Louisiana:

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

9 §436.1. Administration of medication; definition; conditions; restrictions; exceptions

10 * * *

11 **N.(1) Notwithstanding any provision of law or any rule, regulation, or**
12 **policy to the contrary, the governing authority of each public elementary and**
13 **secondary school shall adopt a policy to maintain a supply of auto-injectable**
14 **epinephrine, as defined in Subparagraph (J)(4)(a) of this Section, in a secure**
15 **location in each classroom assigned to a student who is deemed by his physician**
16 **to be at high risk for anaphylactic reaction and incapable of self-administration**
17 **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.**

