

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.**

1 **(6) Each school shall include the policy required by this Subsection in its**
2 **student handbook and post such policy on the school's website, if it has one.**

3 **Such policy shall also be disclosed to any parent or other legal guardian who**
4 **notifies the school in which the student is enrolled, in writing, that the student**
5 **has a condition which puts him at risk of anaphylaxis.**

6 **(7) The provisions of this Subsection shall be known and may be cited as**
7 **the Louis Williams, Junior Act.**

8 Section 2. This Act shall become effective upon signature by the governor or, if not
9 signed by the governor, upon expiration of the time for bills to become law without signature
10 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
11 vetoed by the governor and subsequently approved by the legislature, this Act shall become
12 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

SB 407 Engrossed

2022 Regular Session

Bouie

Present law 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.

Proposed law 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))