

ENROLLED  
 HB 279, Engrossed 1

2005 Legislature

1                                   A bill to be entitled  
 2           An act relating to student and parent rights; providing a  
 3           popular name; amending s. 1002.20, F.S.; authorizing  
 4           certain K-12 students to self-administer epinephrine by  
 5           auto-injector under certain circumstances; requiring the  
 6           adoption of rules; providing for indemnification;  
 7           providing an effective date.

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 9   Be It Enacted by the Legislature of the State of Florida:

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 11           Section 1. This act may be cited as the "Kelsey Ryan Act."

12           Section 2. Paragraph (i) is added to subsection (3) of  
 13           section 1002.20, Florida Statutes, to read:

14           1002.20 K-12 student and parent rights.--Parents of public  
 15           school students must receive accurate and timely information  
 16           regarding their child's academic progress and must be informed  
 17           of ways they can help their child to succeed in school. K-12  
 18           students and their parents are afforded numerous statutory  
 19           rights including, but not limited to, the following:

20           (3) HEALTH ISSUES.--

21           (i) Epinephrine use.--A student who has experienced or is  
 22           at risk for life-threatening allergic reactions may carry an  
 23           epinephrine auto-injector and self-administer epinephrine by  
 24           auto-injector while in school, participating in school-sponsored  
 25           activities, or in transit to or from school or school-sponsored  
 26           activities if the school has been provided with parental and  
 27           physician authorization. The State Board of Education, in  
 28           cooperation with the Department of Health, shall adopt rules for

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29 such use of epinephrine auto-injectors that shall include  
30 provisions to protect the safety of all students from the misuse  
31 or abuse of auto-injectors. A school district, county health  
32 department, public-private partner, and their employees and  
33 volunteers shall be indemnified by the parent of a student  
34 authorized to carry an epinephrine auto-injector for any and all  
35 liability with respect to the student's use of an epinephrine  
36 auto-injector pursuant to this paragraph.

37 Section 3. This act shall take effect January 1, 2006.