

By the Committee on Education; and Senator Wise

581-1821-05

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A bill to be entitled

An act relating to student and parent rights;
amending s. 1002.20, F.S.; authorizing certain
K-12 students to self-administer epinephrine by
auto-injector under certain circumstances;
requiring the adoption of rules; providing for
indemnification; providing an effective date.

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

Section 1. Paragraph (i) is added to subsection (3) of
section 1002.20, Florida Statutes, to read:

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

(3) HEALTH ISSUES.--

(i) Epinephrine use.--A student who has experienced or
is at risk for life-threatening allergic reactions may carry
an epinephrine auto-injector and self-administer epinephrine
by auto-injector while in school, participating in
school-sponsored activities, or in transit to or from school
or school-sponsored activities if the school has been provided
with parental and physician authorization. The State Board of
Education, in cooperation with the Department of Health, shall
adopt rules for the use of epinephrine auto-injectors that
shall include provisions to protect the safety of all students
from the misuse or abuse of auto-injectors. A school district,
county health department, public-private partner, and their

1 employees and volunteers shall be indemnified by the parent of
2 a student authorized to carry an epinephrine auto-injector for
3 any and all liability with respect to the student's use of an
4 epinephrine auto-injector under this paragraph.

5 Section 2. This act shall take effect January 1, 2006.

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7 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
8 COMMITTEE SUBSTITUTE FOR
9 SENATE BILL 890

10 The committee substitute:

11 Specifies that the rules adopted by the Department of
12 Education include provisions to protect the safety of all
13 students from the misuse or abuse of auto-injectors.

14 The parent of a student authorized to carry an auto-injector
15 shall indemnify the school district, county health
16 department, public-private partner, and their employees
17 and volunteers for any and all liability with respect to
18 the student's use of an auto-injector.

19 Changes the effective date to January 1, 2006.
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