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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/17/2012	.	
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The Committee on Military Affairs, Space, and Domestic Security (Bennett) recommended the following:

Senate Amendment (with title amendment)

Delete lines 85 - 92
and insert:

2. A public school may purchase from a wholesale distributor as defined in s. 499.003 and maintain in a locked, secure location on its premises a supply of epinephrine auto-injectors for use if a student is having an anaphylactic reaction. The school district shall adopt a protocol developed by a licensed physician for the administration by school personnel who are trained to recognize an anaphylactic reaction and to administer an epinephrine auto-injection. The supply of



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13 epinephrine auto-injectors may be provided to and used by a
14 student authorized to self-administer epinephrine by auto-
15 injector under subparagraph 1. or trained school personnel.

16 3. The school district and its employees and agents,
17 including a physician providing a standing protocol for school
18 epinephrine auto-injectors, are not liable for any injury
19 arising from the use of an epinephrine auto-injector
20 administered by trained school personnel who follow the adopted
21 protocol and whose professional opinion is that the student is
22 having an anaphylactic reaction:

23 a. Unless the action was willful and wanton;

24 b. Notwithstanding that the parents or guardians of the
25 pupil to whom the epinephrine was administered were not provided
26 notice or did not sign a statement acknowledging that the school
27 district is not liable; and

28 c. Regardless of whether authorization was given by the
29 student's parents or guardians or by the student's physician,
30 physician's assistant, or advanced practice registered nurse.

31
32 Delete lines 103 - 110

33 and insert:

34 (17) EPINEPHRINE SUPPLY.—

35 (a) A private school may purchase from a wholesale
36 distributor as defined in s. 499.003 and maintain in a locked,
37 secure location on its premises a supply of epinephrine auto-
38 injectors for use if a student is having an anaphylactic
39 reaction. The private school shall adopt a protocol developed by
40 a licensed physician for the administration by private school
41 personnel who are trained to recognize an anaphylactic reaction



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42 and to administer an epinephrine auto-injection. The supply of
43 epinephrine auto-injectors may be provided to and used by a
44 student authorized to self-administer epinephrine by auto-
45 injector under s. 1002.20(3)(i) or trained school personnel.

46 (b) The private school and its employees and agents,
47 including a physician providing a standing protocol for school
48 epinephrine auto-injectors, are not liable for any injury
49 arising from the use of an epinephrine auto-injector
50 administered by trained school personnel who follow the adopted
51 protocol and whose professional opinion is that the student is
52 having an anaphylactic reaction:

- 53 1. Unless the action was willful and wanton;
54 2. Notwithstanding that the parents or guardians of the
55 pupil to whom the epinephrine was administered were not provided
56 notice or did not sign a statement acknowledging that the school
57 district is not liable; and
58 3. Regardless of whether authorization was given by the
59 student's parents or guardians or by the student's physician,
60 physician's assistant, or advanced practice registered nurse.

61
62 ===== T I T L E A M E N D M E N T =====

63 And the title is amended as follows:

64 Delete lines 7 - 25

65 and insert:

66 public school to purchase and maintain a supply of
67 epinephrine auto-injectors; requiring that the school
68 district adopt a protocol developed by a licensed
69 physician for the administration of epinephrine auto-
70 injectors for emergency use when a student is having



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71 an anaphylactic reaction; providing that the supply of
72 epinephrine auto-injectors may be provided to and used
73 by a student authorized to self-administer epinephrine
74 by auto-injector or trained school personnel;
75 providing that a school district and its employees and
76 agents, including a physician providing a standing
77 protocol for school epinephrine auto-injectors, are
78 not liable for an injury to a student arising from the
79 use of an epinephrine auto-injector under certain
80 circumstances; amending s. 1002.42, F.S.; requiring
81 the emergency response agencies to notify private
82 schools in the school district of emergencies under
83 certain circumstances; authorizing a private school to
84 purchase and maintain a supply of epinephrine auto-
85 injectors; requiring that the private school adopt a
86 protocol developed by a licensed physician for the
87 administration of epinephrine auto-injectors for
88 emergency use when a student is having an anaphylactic
89 reaction; providing that the supply of epinephrine
90 auto-injectors may be provided to and used by a
91 student authorized to self-administer epinephrine by
92 auto-injector or trained school personnel; providing
93 that a private school and its employees and agents,
94 including a physician providing a standing protocol
95 for school epinephrine auto-injectors, are not liable
96 for an injury to a student arising from the use of an
97 epinephrine auto-injector under certain circumstances;
98 providing an effective