

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED  (Y/N)  
 ADOPTED AS AMENDED  (Y/N)  
 ADOPTED W/O OBJECTION  (Y/N)  
 FAILED TO ADOPT  (Y/N)  
 WITHDRAWN  (Y/N)  
 OTHER

1 Committee/Subcommittee hearing bill: Local & Federal Affairs  
 2 Committee

3 Representative La Rosa offered the following:

4  
 5 **Amendment (with title amendment)**

6 Remove lines 42-51 and insert:

7 Section 2. Paragraph (i) of subsection (3) of section  
 8 1002.20, Florida Statutes, is amended to read:

9 1002.20 K-12 student and parent rights.—Parents of public  
 10 school students must receive accurate and timely information  
 11 regarding their child's academic progress and must be informed  
 12 of ways they can help their child to succeed in school. K-12  
 13 students and their parents are afforded numerous statutory  
 14 rights including, but not limited to, the following:

15 (3) HEALTH ISSUES.—

16 (i) Epinephrine use and supply.—

17 1. A student who has experienced or is at risk for life-  
 18 threatening allergic reactions may carry an epinephrine auto-  
 19 injector and self-administer epinephrine by auto-injector while  
 20 in school, participating in school-sponsored activities, or in

Amendment No. 1

21 transit to or from school or school-sponsored activities if the  
22 school has been provided with parental and physician  
23 authorization. The State Board of Education, in cooperation with  
24 the Department of Health, shall adopt rules for such use of  
25 epinephrine auto-injectors that shall include provisions to  
26 protect the safety of all students from the misuse or abuse of  
27 auto-injectors. A school district, county health department,  
28 public-private partner, and their employees and volunteers shall  
29 be indemnified by the parent of a student authorized to carry an  
30 epinephrine auto-injector for any and all liability with respect  
31 to the student's use of an epinephrine auto-injector pursuant to  
32 this paragraph.

33 2. A public school may purchase from a wholesale  
34 distributor as defined in s. 499.003 and maintain in a locked,  
35 secure location on its premises a supply of epinephrine auto-  
36 injectors for use if a student is having an anaphylactic  
37 reaction. The participating school district shall adopt a  
38 protocol developed by a licensed physician for the  
39 administration by school personnel who are trained to recognize  
40 an anaphylactic reaction and to administer an epinephrine auto-  
41 injection. The supply of epinephrine auto-injectors may be  
42 provided to and used by a student authorized to self-administer  
43 epinephrine by auto-injector under subparagraph 1. or trained  
44 school personnel.

45 3. The school district and its employees and agents,  
46 including the physician who provides the standing protocol for  
47 school epinephrine auto-injectors, are not liable for any injury  
48 arising from the use of an epinephrine auto-injector

Amendment No. 1

49 administered by trained school personnel who follow the adopted  
50 protocol and whose professional opinion is that the student is  
51 having an anaphylactic reaction:

52 a. Unless the trained school personnel's action is willful  
53 and wanton;

54 b. Notwithstanding that the parents or guardians of the  
55 student to whom the epinephrine is administered have not been  
56 provided notice or have not signed a statement acknowledging  
57 that the school district is not liable; and

58 c. Regardless of whether authorization has been given by  
59 the student's parents or guardians or by the student's  
60 physician, physician's assistant, or advanced registered nurse  
61 practitioner.

62 Section 3. Subsections (16) and (17) are added to section  
63 1002.42, Florida Statutes, to read:

64 1002.42 Private schools.—

65 (16) EMERGENCY PROCEDURES.—The emergency response agencies  
66 identified in a district school board's emergency response  
67 policy pursuant to s. 1006.07(4) which are responsible for  
68 notifying the school district of an occurrence that threatens  
69 student safety shall also notify private schools in the district  
70 that request such notification by opting into the district  
71 school board's emergency notification procedures.

72 (17) EPINEPHRINE SUPPLY.—

73 (a) A private school may purchase from a wholesale distributor  
74 as defined in s. 499.003 and maintain in a locked, secure  
75 location on its premises a supply of epinephrine auto-injectors  
76 for use if a student is having an anaphylactic reaction. The

Amendment No. 1

77 participating private school shall adopt a protocol developed by  
78 a licensed physician for the administration by private school  
79 personnel who are trained to recognize an anaphylactic reaction  
80 and to administer an epinephrine auto-injection. The supply of  
81 epinephrine auto-injectors may be provided to and used by a  
82 student authorized to self-administer epinephrine by auto-  
83 injector under s. 1002.20(3)(i) or trained school personnel.

84 (b) The private school and its employees and agents,  
85 including the physician who provides the standing protocol for  
86 school epinephrine auto-injectors, are not liable for any injury  
87 arising from the use of an epinephrine auto-injector  
88 administered by trained school personnel who follow the adopted  
89 protocol and whose professional opinion is that the student is  
90 having an anaphylactic reaction:

91 1. Unless the trained school personnel's action is willful  
92 and wanton;

93 2. Notwithstanding that the parents or guardians of the  
94 student to whom the epinephrine is administered have not been  
95 provided notice or have not signed a statement acknowledging  
96 that the school district is not liable; and

97 3. Regardless of whether authorization has been given by  
98 the student's parents or guardians or by the student's  
99 physician, physician's assistant, or advanced registered nurse  
100 practitioner.

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Amendment No. 1

**T I T L E   A M E N D M E N T**

Remove lines 2-8 and insert:

An act relating to school emergencies; amending s. 1006.07, F.S.; requiring district school board policies to list the emergency response agencies that are responsible for notifying the school district of emergencies; amending s. 1002.20, F.S.; authorizing a public school to purchase and maintain a supply of epinephrine auto-injectors; requiring that the school district adopt a protocol developed by a licensed physician for the administration of epinephrine auto-injectors for emergency use when a student is having an anaphylactic reaction; providing that the supply of epinephrine auto-injectors may be provided to and used by a student authorized to self-administer epinephrine by auto-injector or trained school personnel; providing that a school district and its employees and agents, including a physician providing a standing protocol for school epinephrine auto-injectors, are not liable for an injury to a student arising from the use of an epinephrine auto-injector under certain circumstances; amending s. 1002.42, F.S.; requiring the emergency response agencies to notify private schools in the school district of emergencies under certain circumstances; authorizing a private school to purchase and maintain a supply of epinephrine auto-injectors; requiring that the private school adopt a protocol developed by a licensed physician for the administration of epinephrine auto-injectors for emergency use when a student is having an anaphylactic reaction; providing that the supply of epinephrine auto-injectors may be provided to and used by a student authorized to self-administer epinephrine

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 369 (2013)

Amendment No. 1

133 | by auto-injector or trained school personnel; providing that a  
134 | private school and its employees and agents, including a  
135 | physician providing a standing protocol for school epinephrine  
136 | auto-injectors, are not liable for an injury to a student  
137 | arising from the use of an epinephrine auto-injector under  
138 | certain circumstances;

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