

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Pre-K -12

BILL: CS/SB 1514

INTRODUCER: Education Pre-K-12 Committee and Senators Smith and Others

SUBJECT: Anaphylaxis in Public Schools

DATE: March 25, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Jahnke	Bouck	ED	Fav/CS
2.			AED	
3.			RC	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1514 adds requirements to ensure schools are equipped with the necessary plans and training to effectively respond to allergic reactions and anaphylaxis, particularly for students who require emergency interventions such as epinephrine. Specifically, the bill:

- Requires district school boards to ensure that a student’s emergency action plan is effective at all times when the student is on campus.
- Requires school personnel, including employees and contracted personnel of before- and after-school programs, to be provided training on preventing and responding to allergic reactions, including anaphylaxis.
- Requires at least one member of school personnel who has been trained in preventing and responding to an allergic reaction, including anaphylaxis, to be on school grounds to execute a student’s emergency action plan.
- Specifies that the required training must include the administration of emergency epinephrine, including the use of epinephrine auto-injectors and nasal sprays.
- Authorizes the State Board of Education to adopt rules, including the identification of an approved training curriculum for the required training.

The bill is effective July 1, 2025.

II. Present Situation:

Anaphylaxis

Anaphylaxis is a severe, life-threatening allergic reaction that can occur rapidly and can be fatal if not treated immediately. The condition is typically triggered by allergens such as foods, insect stings, medications, and latex. According to the American Academy of Family Physicians, anaphylaxis affects approximately 1 in 20 people at some point in their lives.¹

Anaphylaxis involves a range of symptoms affecting multiple systems in the body. These can include one or more of the following:²

- Hives or itching (of any body part);
- Flushed or pale skin, dizziness;
- Vomiting, diarrhea, or stomach cramps;
- Swelling (of any body part);
- Red, watery eyes, runny nose;
- Fainting or loss of consciousness;
- Wheezing, coughing, difficulty breathing, shortness of breath;
- Throat tightness or closing, difficulty swallowing, change of voice;
- A sense of doom;
- Change in mental status; and
- Itchy or scratchy lips, tongue, mouth or throat.

Life-threatening allergies in students present significant challenges in schools. According to the Florida Department of Health's 2022-2023 Annual School Health Services Report, approximately 76,000 students in Florida have life-threatening allergies. Additionally, 112,680 students diagnosed with asthma may also experience severe allergic reactions if exposed to allergens.³ For these students, the immediate administration of epinephrine through an auto-injector syringe may be life-saving.⁴

Epinephrine in Schools

Students who have experienced or are at risk for life-threatening allergic reactions may carry and self-administer epinephrine auto-injectors at school, during school-sponsored activities, or while traveling to and from these activities with proper parental and physician authorization. The State Board of Education, in collaboration with the Department of Health, must establish rules

¹ American Academy of Family Physicians, *Anaphylaxis: Guidelines From the Joint Task Force on Allergy-Immunology Practice Parameters*, <https://www.aafp.org/pubs/afp/issues/2024/1100/practice-guidelines-anaphylaxis.html> (last visited Mar. 18, 2025).

² Florida Department of Education, *Students with Life-Threatening Allergies* (2017), available at <https://sss.usf.edu/resources/format/pdf/LifeThreateningAllergiesFinal.pdf>, at 4.

³ Florida Department of Health, *2022-2023 Annual School Health Services Report*, at 1 (2024), available at <https://www.floridahealth.gov/programs-and-services/childrens-health/school-health/documents/2022-2023-school-health-data-summaries.pdf>.

⁴ Florida Department of Education, *Students with Life-Threatening Allergies*, at 3 (2017), available at <https://sss.usf.edu/resources/format/pdf/LifeThreateningAllergiesFinal.pdf>.

ensuring the safe use of epinephrine auto-injectors, including protections against misuse or abuse.⁵

Schools may also maintain a supply of epinephrine auto-injectors secured in a designated location, accessible to trained school personnel or authorized students. Schools must adopt a physician-developed protocol for the administration of these auto-injectors by school personnel who are trained to recognize an anaphylactic reaction and to administer an epinephrine auto-injection during emergencies.⁶ School districts, employees, agents, and the physician who provides the protocol are protected from liability related to injuries from administration, provided the trained personnel follow the protocol in response to a suspected anaphylactic reaction.⁷ School personnel and volunteers involved in administering epinephrine to students during an emergency are protected from liability, provided they adhere to established guidelines and procedures.⁸

Schools must establish clear protocols for effectively managing allergic reactions, including procedures for administering epinephrine either by trained school personnel or by authorized students themselves. Protocols require an annual Individual Health Care Plan (IHCP) developed by the school nurse in collaboration with the student, parents or guardians, healthcare provider, and school personnel. This plan must include an Emergency Action Plan (EAP) specifying immediate contact with emergency services (911) during an anaphylaxis event and detailing actions if the student cannot self-administer epinephrine.⁹

Schools are required to develop written policies, procedures, and protocols to manage health emergencies, including maintaining updated emergency information cards for each student, listing key health details and contacts. Schools must ensure emergency supplies and equipment are clearly identified and accessible, with locations and lists of staff certified in first aid and cardiopulmonary resuscitation (CPR) visibly posted in high-risk areas. Additionally, schools must have at least two staff members (excluding health room personnel) certified in first aid and CPR. The school nurse, in collaboration with school administration, assists in training staff to provide care during emergencies and ensures first aid supplies and emergency equipment are adequately stocked and maintained.¹⁰

Administration of Medication and Medical Services by District School Personnel

District school personnel may assist students with the administration of prescription medication at school, provided certain conditions are met, including:¹¹

- Providing training to designated school personnel by a registered nurse, licensed practical nurse, advanced practice registered nurse, physician, or physician assistant.
- Adopting formal policies and procedures to guide medication administration by school personnel.

⁵ Section 1002.20(3)(i)1., F.S.

⁶ Section 1002.20(3)(i)2., F.S.

⁷ Section 1002.20(3)(i)3., F.S.

⁸ Section 1002.20(3)(i), F.S.

⁹ Rule 6A-6.0251, F.A.C.

¹⁰ Rule 64F-6.004, F.A.C.

¹¹ Section 1006.062(1), F.S.

- Obtaining written permission from the student's parent or guardian, clearly stating the necessity of medication administration during school hours or school-sponsored events.
- Receiving, counting, and securely storing medication in its original container, accessible only to authorized personnel.

Nonmedical district personnel may also perform specific health-related services following the successful completion of child-specific training and periodic monitoring by medical professionals.¹² However, nonmedical district personnel are prohibited from performing invasive medical procedures such as sterile catheterization, nasogastric tube feeding, and tracheostomy care requiring deep suctioning.¹³

District school personnel administering medication in compliance with established policies and procedures are protected from liability for civil damages, provided they act reasonably and prudently under similar circumstances.¹⁴

Schools must establish emergency procedures specifically designed for life-threatening emergencies as part of a school health services plan developed jointly with the county health department and local school health advisory committee.¹⁵

III. Effect of Proposed Changes:

CS/SB 1514 amends s. 1006.07, F.S., by requiring district school boards to ensure that a student's emergency action plan is effective at all times when the student is on campus, including during extracurricular activities, athletics, school dances, and contracted before-and-after-school programs at the school.

District school boards are required to ensure that school personnel, including employees and contracted personnel of before-and-after-school programs, have been provided training on preventing and responding to allergic reactions, including anaphylaxis. At least one member of school personnel who has been trained in preventing and responding to an allergic reaction, including anaphylaxis, must be on school grounds to execute a student's emergency action plan. The bill specifies that the required training must include the administration of emergency epinephrine, including the use of epinephrine auto-injectors and nasal sprays.

The bill also authorizes the State Board of Education to adopt rules for implementation, including the identification of an approved training curriculum for the required training.

The bill is effective July 1, 2025.

¹² Section 1006.062(4), F.S. The child-specific training can be done by a registered nurse or advanced practice registered nurse licensed under chapter 464, a physician licensed pursuant to chapter 458 or chapter 459, or a physician assistant licensed pursuant to chapter 458 or chapter 459.

¹³ Section 1006.062(3), F.S.

¹⁴ Section 1006.062(2), F.S.

¹⁵ Section 1006.062(7), F.S. and Section 381.0056(4), F.S.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill does not have a fiscal impact on state revenues or expenditures. The bill requires the school districts to adopt an anaphylaxis policy for each school within the district. The policy must include training for school personnel and each before-school and after-school program at a school to provide training to its employees and contracted personnel. The cost associated with this training is indeterminate, but likely insignificant.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The provisions of the bill are placed in s. 1006.07, F.S., which pertains to district school board duties relating primarily to student discipline and school safety. The sponsor may want to place the provisions in s. 1002.20, F.S., as this section specifically addresses student and parental rights related to health and medical care. This section includes provisions related to the use,

storage, and administration of epinephrine auto-injectors, and provides explicit guidelines on training and liability protections for school personnel.

VIII. Statutes Affected:

This bill substantially amends section 1006.07 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education Pre-K-12 on March 25, 2025:

The committee substitute adds the requirement for at least one member of school personnel who has been trained in preventing and responding to an allergic reaction, including anaphylaxis, to be on school grounds to execute a student's emergency action plan.

- B. **Amendments:**

None.