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# A BILL FOR AN ACT

RELATING TO EDUCATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. Section 302A-1164, Hawaii Revised Statutes, is  
2 amended as follows:

3 1. By amending subsections (a) and (b) to read:

4 "(a) The department shall permit:

5 (1) The self-administration of medication by a student for  
6 asthma, anaphylaxis, or other potentially  
7 life-threatening illnesses; and

8 (2) Department employees and agents to volunteer to  
9 administer glucagon in an emergency situation to  
10 students with diabetes[-] or administer auto-  
11 injectable epinephrine in an emergency situation to  
12 students with anaphylaxis.

13 (b) The student's parent or guardian shall provide the  
14 department with:

15 (1) Written authorization for the self-administration of  
16 medication or the emergency administration of  
17 glucagon[+] or auto-injectable epinephrine;



- 1 (2) In the case of self-administration of medication,  
2 written certification from the student's physician,  
3 advanced practice registered nurse, or physician  
4 assistant stating that the student:
- 5 (A) Has asthma, anaphylaxis, or another potentially  
6 life-threatening illness; and
- 7 (B) Is capable of, and has been instructed in, the  
8 proper method of self-administration of  
9 medication; and
- 10 (3) In the case of emergency administration of glucagon to  
11 a student with diabetes[7] or auto-injectable  
12 epinephrine to a student with anaphylaxis, written  
13 certification from the student's physician, advanced  
14 practice registered nurse, or physician assistant  
15 stating that the student has medical orders that  
16 glucagon or auto-injectable epinephrine may be  
17 administered by a volunteer."
- 18 2. By amending subsection (g) to read:
- 19 "(g) Any employee or agent who volunteers to administer  
20 glucagon in an emergency situation to a student with diabetes or  
21 auto-injectable epinephrine to a student with anaphylaxis shall  
22 receive instruction in the proper administration of glucagon or



1 auto-injectable epinephrine by a qualified health care  
2 professional. A "qualified health care professional" means a  
3 licensed physician, physician assistant, advanced practice  
4 registered nurse or registered nurse, or certified diabetes  
5 educator. The student's parent or guardian shall supply the  
6 school with the glucagon kit required to administer the  
7 glucagon[-] or with auto-injectable epinephrine supplies to  
8 administer epinephrine. The school shall store the glucagon kit  
9 or auto-injectable epinephrine supplies in a secure but  
10 accessible location. The department may also make arrangements  
11 to receive auto-injectable epinephrine supplies from auto-  
12 injectable epinephrine manufacturers or suppliers."

13 SECTION 2. (a) Beginning on July 1, 2015, and ending on  
14 June 30, 2020, there is established within the department of  
15 education, in collaboration with the department of health, a  
16 five-year auto-injectable epinephrine pilot program. The  
17 primary objective of the pilot program shall be to provide auto-  
18 injectable epinephrine to any student or other individual on  
19 school premises, at school-sponsored events, or at any other  
20 time the student or individual is subject to the school's  
21 jurisdiction or supervision, whom designated school personnel  
22 believes in good faith is experiencing anaphylaxis.



1 (b) A school may maintain a stock supply of auto-  
2 injectable epinephrine for use in the pilot program. The school  
3 shall store the auto-injectable epinephrine supplies in a secure  
4 but accessible location.

5 (c) An authorized health care provider may prescribe auto-  
6 injectable epinephrine in the name of a school participating in  
7 the pilot program, and pharmacists and authorized health care  
8 providers may dispense auto-injectable epinephrine pursuant to a  
9 prescription issued pursuant to this section.

10 (d) Any department of education employee or agent may,  
11 upon completion of instruction described in subsection (e), use  
12 auto-injectable epinephrine prescribed pursuant to subsection  
13 (c) to administer auto-injectable epinephrine to any student or  
14 other individual on school premises, at school-sponsored events,  
15 or at any other time the student or individual is subject to the  
16 school's jurisdiction or supervision, whom designated school  
17 personnel believes in good faith is experiencing anaphylaxis,  
18 regardless of whether the student or other individual has a  
19 prescription for auto-injectable epinephrine specific to the  
20 student on file with the school pursuant to section 302A-1164,  
21 Hawaii Revised Statutes, or has previously been diagnosed with  
22 an allergy.



1 (e) Any employee or agent of the department of education  
2 who volunteers as part of the pilot program to administer auto-  
3 injectable epinephrine in an emergency situation to a person  
4 experiencing anaphylaxis shall receive instruction in the proper  
5 administration of auto-injectable epinephrine by a qualified  
6 health care professional. For the purposes of this subsection,  
7 a "qualified health care professional" means a licensed  
8 physician, physician assistant, advanced practice registered  
9 nurse or registered nurse, or certified diabetes educator.

10 (f) Any person who acts in accordance with the  
11 requirements of the pilot program shall be immune from any civil  
12 or criminal liability arising from these acts, except where the  
13 person's conduct would constitute gross negligence, wilful and  
14 wanton misconduct, or intentional misconduct.

15 SECTION 3. The department of education, in collaboration  
16 with the department of health, shall report findings and  
17 recommendations, including any proposed legislation, regarding  
18 the pilot program to the legislature no later than twenty days  
19 prior to the convening of the regular sessions of 2016 through  
20 2021.

21 SECTION 4. There is appropriated out of the general  
22 revenues of the State of Hawaii the sum of \$ or so



1 much thereof as may be necessary for fiscal year 2014-2015 for  
2 the department of education to contract for instruction,  
3 training, and related expenses required for compliance with this  
4 Act.

5 The sum appropriated shall be expended by the department of  
6 education for the purposes of this Act.

7 SECTION 5. Statutory material to be repealed is bracketed  
8 and stricken. New statutory material is underscored.

9 SECTION 6. This Act shall take effect on July 1, 2030.



**Report Title:**

Department of Education; Department of Health; Administration of Auto-injectable Epinephrine; Appropriation

**Description:**

Authorizes Department of Education employees and agents with specified training to volunteer to administer auto-injectable epinephrine to a student with anaphylaxis. Allows the Department of Education to make arrangements to receive auto-injectable epinephrine supplies from manufacturers and suppliers. Establishes a five-year auto-injectable epinephrine pilot program within the Department of Education. Requires reports to the Legislature. Makes an appropriation. Effective July 1, 2030. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

