

Senator **Jen Plumb** proposes the following amendments:

1. *Line 4 through 9:*

4 **General Description:**

5 This bill { **expands** } **amends** the definition of a medical device used to administer epinephrine.

6 **Highlighted Provisions:**

7 This Bill:

8 →amends "epinephrine auto-injector" to "**injectable** epinephrine rescue medication"; and

9 →makes technical and conforming changes.

2. *Line 63 through 68:*

63 capacity of a health care provider during employment for the department.

64 { ~~(8) "Epinephrine [auto-injector]"~~**rescue medication"** **means a portable, disposable drug**
65 **delivery device that contains a measured, single dose of epinephrine that is used to treat**
66 **a person suffering a potentially fatal anaphylactic reaction.** }

67 { ~~(9)~~ } **(8)** "Health care provider" means an individual who is licensed as:

68 (a) a physician under Title 58, Chapter 67, Utah Medical Practice Act;

3. *Line 71 through 72:*

71 (d) a physician assistant under Title 58, Chapter 70a, Utah Physician Assistant Act.

(9) "Injectable epinephrine rescue medication" means a portable, disposable drug delivery device that contains a measured, single dose of epinephrine that is used to treat a person suffering a potentially fatal anaphylactic reaction.

72 (10) "Pharmacist" means the same as that term is defined in Section 58-17b-102.

4. *Line 77 through 79:*

77 (a) is at least 18 years old; and

78 (b) (i) for purposes of administering an **injectable** epinephrine ~~[auto-injector]~~**rescue medication,**
79 has successfully completed the training program established in Section 26B-4-407;

5. *Line 82 through 84:*

82 training program established in Section 26B-4-408.

83 (15) "Qualified **injectable** epinephrine ~~[auto-injector]~~**rescue medication** entity":

84 (a) means a facility or organization that employs, contracts with, or has a similar

6. Line 142 through 147:

- 142 (1) Sections 26B-4-406 through 26B-4-411 do not create a duty or standard of care for:
143 (a) a person to be trained in the use and storage of injectable epinephrine [~~auto-injectors~~]rescue
144 medication or stock albuterol; or
145 (b) except as provided in Subsection (5), a qualified injectable epinephrine [~~auto-injector~~]rescue
146 medication entity to store injectable epinephrine [~~auto-injectors~~]rescue medication or a
147 qualified stock albuterol entity to store stock albuterol on its premises.

7. Line 149 through 151:

- 149 complete a training program under Section 26B-4-407 or 26B-4-408 and to make
150 emergency injectable epinephrine [~~auto-injectors~~]rescue medication or stock albuterol available
151 under the provisions of Sections 26B-4-406 through 26B-4-411 is voluntary.

8. Line 155 through 157:

- 155 (a) completing a training program under Section 26B-4-407 or 26B-4-408;
156 (b) possessing or storing an injectable epinephrine [~~auto-injector~~]rescue medication or stock
157 albuterol on school property if:

9. Line 160 through 162:

- 160 Section 26B-4-407 or 26B-4-408; or
161 (c) administering an injectable epinephrine [~~auto-injector~~]rescue medication or stock albuterol
to
162 any person, if:

10. Line 168 through 170:

- 168 (5) (a) Each primary or secondary school in the state, both public and private, shall make
169 an emergency injectable epinephrine [~~auto-injector~~]rescue medication available to any teacher
170 or other school employee who:

11. Line 173 through 175:

- 173 (b) This section does not require a school described in Subsection (5)(a) to keep more
174 than one emergency injectable epinephrine [~~auto-injector~~]rescue medication on the school
175 premises, so long as it may be quickly accessed by a teacher or other school

12. Line 194 through 199:

- 194 Section **26B-4-407.** is amended to read:

195 **26B-4-407** Training in use and storage of injectable epinephrine rescue medication.
 196 (1) (a) Each primary and secondary school in the state, both public and private, shall
 197 make initial and annual refresher training, regarding the storage and emergency use
 198 of an injectable epinephrine [~~auto-injector~~]rescue medication, available to any teacher or other
 199 school employee who volunteers to become a qualified adult.

13. *Line 205 through 207:*

205 (a) techniques for recognizing symptoms of anaphylaxis;
 206 (b) standards and procedures for the storage and emergency use of injectableepinephrine [
 207 ~~auto-injectors~~]rescue medication;

14. *Line 212 through 221:*

212 with Subsection (2)(d).
 213 (4) A public school shall permit a student to possess an injectable epinephrine [~~auto-~~
 214 ~~injector~~]rescue
 215 medication or possess and self-administer an injectable epinephrine [~~auto-injector~~]rescue
 216 medication if:
 217 (a) the student's parent or guardian signs a statement:
 218 (i) authorizing the student to possess or possess and self-administer an injectableepinephrine [
 219 ~~auto-injector~~]rescue medication; and
 220 (ii) acknowledging that the student is responsible for, and capable of, possessing or
 221 possessing and self-administering an injectable epinephrine [~~auto-injector~~]rescue medication;
 222 and

15. *Line 223 through 226:*

223 (i) it is medically appropriate for the student to possess or possess and self-administer
 224 an injectable epinephrine [~~auto-injector~~]rescue medication; and
 225 (ii) the student should be in possession of the injectable epinephrine [~~auto-injector~~]rescue
 226 medication at all times.

16. *Line 232 through 242:*

232 (A) people under Subsection (6)(b) of this section, regarding the proper use and
 233 storage of emergency injectable epinephrine [~~auto-injectors~~]rescue medication; and
 234 (B) a qualified injectable epinephrine [~~auto-injector~~]rescue medication entity regarding the
 235 proper storage and emergency use of injectable epinephrine [~~auto-injectors~~]rescue
 236 medication; and
 237 (ii) may, as funding is available, conduct educational programs to train people

238 regarding the use of and storage of emergency injectable epinephrine [~~auto-injectors~~]rescue
239 medication.

240 (b) A person who volunteers to receive training as a qualified adult to administer an
241 injectable epinephrine [~~auto-injector~~]rescue medication under the provisions of this Subsection

242 (6) shall demonstrate a need for the training to the department, which may be based

17. Line 250 through 252:

250 Section **26B-4-409**. is amended to read:

251 **26B-4-409** Authority to obtain and use an injectable epinephrine rescue medication or
252 stock albuterol.

18. Line 257 through 261:

257 the state, or a school nurse:

258 (a) injectable epinephrine [~~auto-injectors~~]rescue medication for use in accordance with this part;
or

259 (b) stock albuterol for use in accordance with this part.

260 (2) (a) A qualified adult may obtain an injectable epinephrine [~~auto-injector~~]rescue medication
for

261 use in accordance with this part that is dispensed by:

19. Line 268 through 270:

268 (3) A qualified adult:

269 (a) may immediately administer an injectable epinephrine [~~auto-injector~~]rescue medication to a
270 person exhibiting potentially life-threatening symptoms of anaphylaxis when a

20. Line 273 through 275:

273 accordance with the training materials retained under Section 26B-4-407 after

274 administering an injectable epinephrine [~~auto-injector~~]rescue medication.

275 (4) If a school nurse is not immediately available, a qualified adult:

21. Line 283 through 285:

283 (5) (a) A qualified entity that complies with Subsection (5)(b) or (c), may obtain a supply

284 of injectable epinephrine [~~auto-injectors~~]rescue medication or stock albuterol, respectively,

285 from a pharmacist under Section 58-17b-1004, or a pharmacy intern under Section

22. Line 287 through 289:

287 (i) storing:

288 (A) the injectable epinephrine [~~auto-injectors~~]rescue medication on the qualified
 289 injectableepinephrine [~~auto-injector~~]rescue medication entity's premises; and

23. *Line 291 through 297:*

291 (ii) use by a qualified adult in accordance with Subsection (3) or (4).
 292 (b) A qualified injectable epinephrine [~~auto-injector~~]rescue medication entity shall:
 293 (i) designate an individual to complete an initial and annual refresher training
 294 program regarding the proper storage and emergency use of an injectableepinephrine [~~auto-injector~~]rescue medication available to a qualified adult; and
 295 (ii) store injectable epinephrine [~~auto-injectors~~]rescue medication in accordance with the
 296 standards established by the department in Section 26B-4-411.

24. *Line 312 through 314:*

312 (c) a person who conducts training described in Section 26B-4-407 or 26B-4-408;
 313 (d) a qualified injectable epinephrine [~~auto-injector~~]rescue medication entity;
 314 (e) a qualified stock albuterol entity;

25. *Line 318 through 320:*

318 (i) a local emergency medical services entity.
 319 (2) Section 53G-9-502 does not apply to the administration of an injectable epinephrine [~~auto-injector~~]
 320 rescue medication or stock albuterol in accordance with this part.

26. *Line 331 through 333:*

331 (3) establish standards for storage of:
 332 (a) emergency injectable epinephrine [~~auto-injectors~~]rescue medication by a qualified
 333 injectable epinephrine [~~auto-injector~~]rescue medication entity under Section 26B-4-407; and

27. *Line 374 through 376:*

374 **58-17b-1001** Title.
 375 This part is known as the "Injectable Epinephrine [~~Auto-Injector~~]Rescue Medication and Stock
 376 Albuterol Act."

28. *Line 379 through 381:*

379 As used in this part:

380 (1) { "~~Epinephrine~~ } [auto-injector] "Injectable epinephrine rescue medication" means the
 same as that term is defined
 381 in Section 26B-4-401.

29. *Line 384 through 386:*

384 (4) "Qualified adult" means the same as that term is defined in Section 26B-4-401.
 385 (5) "Qualified injectable epinephrine [auto-injector]rescue medication entity" means the same as
 that
 386 term is defined in Section 26B-4-401.

30. *Line 392 through 393:*

392 This part does not create a duty or standard of care for a person to prescribe or dispense
 393 an injectable epinephrine [auto-injector]rescue medication or stock albuterol.

31. *Line 394 through 402:*

394 Section **58-17b-1004**. is amended to read:
 395 **58-17b-1004** Authorization to dispense an injectable epinephrine rescue medication and
 396 stock albuterol pursuant to a standing order.
 397 (1) Notwithstanding any other provision of this chapter, a pharmacist or pharmacy intern
 398 may dispense an injectable epinephrine [auto-injector]rescue medication:
 399 (a) (i) to a qualified adult for use in accordance with Title 26B, Chapter 4, Part 4,
 400 School Health; or
 401 (ii) to a qualified injectable epinephrine [auto-injector]rescue medication entity for use in
 402 accordance with Title 26B, Chapter 4, Part 4, School Health;

32. *Line 405 through 407:*

405 (c) without any other prescription drug order from a person licensed to prescribe an
 406 injectable epinephrine [auto-injector]rescue medication; and
 407 (d) in accordance with the dispensing guidelines in Section 58-17b-1006.

33. *Line 419 through 421:*

419 Section **58-17b-1005**. is amended to read:
 420 **58-17b-1005** Standing prescription drug orders for injectable epinephrine rescue
 421 medication and stock albuterol.

34. *Line 424 through 436:*

424 (i) requires a physician to specify the persons, by professional license number,

425 authorized to dispense the injectable epinephrine [~~auto-injector~~]rescue medication;
 426 (ii) requires a physician to review at least annually the dispensing practices of the
 427 persons authorized by the physician to dispense injectable the epinephrine [~~auto-injector~~]
 428 rescue medication;
 429 (iii) requires those authorized by a physician to dispense the injectableepinephrine [~~auto-injector~~]rescue medication to make and retain a record of each dispensing,
 430 including:
 431 (A) the name of the qualified adult or qualified injectable epinephrine [~~auto-injector~~]rescue
 432 medication entity to whom the injectable epinephrine [~~auto-injector~~]rescue medication is
 433 dispensed;
 434 (B) a description of the injectable epinephrine [~~auto-injector~~]rescue medication dispensed;
 435 and
 436

35. *Line 458 through 460:*

458 of:
 459 (a) an injectable epinephrine [~~auto-injector~~]rescue medication in accordance with an
 460 epinephrine
 461 protocol; and

36. *Line 463 through 465:*

463 standing prescription drug order authorizing the dispensing of:
 464 (a) an injectable epinephrine [~~auto-injector~~]rescue medication in accordance with an
 465 epinephrine
 466 protocol; or

37. *Line 467 through 477:*

467 Section **58-17b-1006**. is amended to read:
 468 **58-17b-1006** Guidelines for dispensing an injectable epinephrine rescue medication and
 469 stock albuterol.
 470 (1) A pharmacist or pharmacy intern who dispenses an injectable epinephrine [~~auto-~~
 471 ~~injector~~]rescue
 472 medication under this part shall, at a minimum, provide patient counseling to the
 473 qualified adult or qualified injectable epinephrine [~~auto-injector~~]rescue medication entity to whom
 474 the injectable epinephrine [~~auto-injector~~]rescue medication is dispensed regarding:
 475 (a) the appropriate administration and storage of the injectable epinephrine [~~auto-injector~~]rescue
 476 medication;

476 (b) potential side effects and risks of the injectable epinephrine [~~auto-injector~~]rescue
477 medication;
477 and

38. *Line 488 through 490:*

488 Subsection 58-17b-1005(1) is not liable for any civil damages for acts or omissions
489 resulting from the dispensing of an injectable epinephrine [~~auto-injector~~]rescue medication under
490 this part.