

Glucagon Amendments
2025 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Jen Plumb
House Sponsor: Raymond P. Ward

LONG TITLE

General Description:

This bill amends provisions related to the storage and administration of glucagon kits in public and private schools.

Highlighted Provisions:

This bill:

- defines terms;
- makes technical changes;
- allows a school to stock glucagon kits;
- allows a qualified adult to administer a glucagon kit to a student experiencing hypoglycemia;
- establishes a standing prescription for a school to obtain glucagon kits;
- exempts certain parties from civil liability when administering or prescribing a glucagon kit; and
- establishes training for the use and storage of a glucagon kit.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

26B-4-401, as last amended by Laws of Utah 2024, Chapter 311

26B-4-406, as renumbered and amended by Laws of Utah 2023, Chapter 307

26B-4-409, as last amended by Laws of Utah 2024, Chapter 311

26B-4-410, as last amended by Laws of Utah 2024, Chapter 311

28 **26B-4-411**, as renumbered and amended by Laws of Utah 2023, Chapter 307

29 **58-17b-1002**, as last amended by Laws of Utah 2023, Chapter 329

30 **58-17b-1003**, as enacted by Laws of Utah 2020, Chapter 372

31 **58-17b-1004**, as last amended by Laws of Utah 2023, Chapter 329

32 **58-17b-1005**, as last amended by Laws of Utah 2024, Chapter 507

33 **58-17b-1006**, as enacted by Laws of Utah 2020, Chapter 372

34 **58-17b-1007**, as enacted by Laws of Utah 2020, Chapter 372

35 ENACTS:

36 **26B-4-412**, Utah Code Annotated 1953

38 *Be it enacted by the Legislature of the state of Utah:*

39 Section 1. Section **26B-4-401** is amended to read:

40 **26B-4-401 . Definitions.**

41 As used in this part:

42 (1) "Agent" means a coach, teacher, employee, representative, or volunteer.

43 (2)(a) "Amateur sports organization" means, except as provided in Subsection (2)(b):

44 (i) a sports team;

45 (ii) a public or private school;

46 (iii) a public or private sports league;

47 (iv) a public or private sports camp; or

48 (v) any other public or private organization that organizes, manages, or sponsors a
49 sporting event for its members, enrollees, or attendees.

50 (b) "Amateur sports organization" does not include a professional:

51 (i) team;

52 (ii) league; or

53 (iii) sporting event.

54 (3) "Anaphylaxis" means a potentially life-threatening hypersensitivity to a substance.

55 (a) Symptoms of anaphylaxis may include shortness of breath, wheezing, difficulty
56 breathing, difficulty talking or swallowing, hives, itching, swelling, shock, or asthma.

57 (b) Causes of anaphylaxis may include insect sting, food allergy, drug reaction, and
58 exercise.

59 (4) "Asthma action plan" means a written plan:

60 (a) developed with a school nurse, a student's parent or guardian, and the student's health
61 care provider to help control the student's asthma; and

(b) signed by the student's:

(i) parent or guardian; and

(ii) health care provider.

(5) "Asthma emergency" means an episode of respiratory distress that may include symptoms such as wheezing, shortness of breath, coughing, chest tightness, or breathing difficulty.

(6) "Child" means an individual who is under ~~[the age of 18]~~ 18 years old.

(7) "Department health care provider" means a health care provider who is acting in the capacity of a health care provider during employment for the department.

(8) "Epinephrine auto-injector" 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.

(9) "Glucagon authorization" means the same as that term is defined in Section 53G-9-504.

(10) "Glucagon kit" means a medical device that contains a premeasured dose of glucagon for the emergency treatment of hypoglycemia.

~~[(9)]~~ (11) "Health care provider" means an individual who is licensed as:

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

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

(c) an advanced practice registered nurse under Section 58-31b-302; or

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

(12) "Hypoglycemia" means a potentially life threatening condition resulting from abnormally low blood glucose levels.

~~[(10)]~~ (13) "Pharmacist" means the same as that term is defined in Section 58-17b-102.

~~[(11)]~~ (14) "Pharmacy intern" means the same as that term is defined in Section 58-17b-102.

~~[(12)]~~ (15) "Physician" means the same as that term is defined in Section 58-67-102.

~~[(13)]~~ (16) "Public school" means a district school or a charter school.

~~[(14)]~~ (17) "Qualified adult" means a person who:

(a) is at least 18 years old; and

(b)(i) for purposes of administering an epinephrine auto-injector, has successfully completed the training program established in Section 26B-4-407;

(ii) for purposes of administering a glucagon kit, has successfully completed the training program established in Section 26B-4-412; and

~~[(ii)]~~ (iii) for purposes of administering stock albuterol, has successfully completed the training program established in Section 26B-4-408.

96 ~~[(15)]~~ (18) "Qualified epinephrine auto-injector entity":

97 (a) means a facility or organization that employs, contracts with, or has a similar
98 relationship with a qualified adult who is likely to have contact with another person
99 who may experience anaphylaxis; and

100 (b) includes:

- 101 (i) recreation camps;
102 (ii) an education facility, school, or university;
103 (iii) a day care facility;
104 (iv) youth sports leagues;
105 (v) amusement parks;
106 (vi) food establishments;
107 (vii) places of employment; and
108 (viii) recreation areas.

109 (19) "Qualified glucagon kit entity" means a public or private school that employs,
110 contracts with, or has a similar relationship with a qualified adult who is likely to have
111 contact with another person who may experience a diabetic emergency.

112 ~~[(16)]~~ (20) "Qualified health care provider" means a health care provider who:

- 113 (a) is licensed under Title 58, Occupations and Professions; and
114 (b) may evaluate and manage a concussion within the health care provider's scope of
115 practice.

116 ~~[(17)]~~ (21) "Qualified stock albuterol entity" means a public or private school that employs,
117 contracts with, or has a similar relationship with a qualified adult who is likely to have
118 contact with another person who may experience an asthma emergency.

119 ~~[(18)]~~ (22)(a) "Sporting event" means any of the following athletic activities that is
120 organized, managed, or sponsored by an organization:

- 121 (i) a game;
122 (ii) a practice;
123 (iii) a sports camp;
124 (iv) a physical education class;
125 (v) a competition; or
126 (vi) a tryout.

127 (b) "Sporting event" does not include:

- 128 (i) the issuance of a lift ticket or pass by a ski resort, the use of the ticket or pass, or a
129 ski or snowboarding class or school at a ski resort, unless the skiing or

- 130 snowboarding is part of a camp, team, or competition that is organized, managed,
131 or sponsored by the ski resort;
- 132 (ii) as applied to a government entity, merely making available a field, facility, or
133 other location owned, leased, or controlled by the government entity to an amateur
134 sports organization or a child, regardless of whether the government entity charges
135 a fee for the use; or
- 136 (iii) free play or recess taking place during school hours.
- 137 [(19)] (23) "Stock albuterol" means a prescription inhaled medication:
- 138 (a) used to treat asthma; and
- 139 (b) that may be delivered through a device, including:
- 140 (i) an inhaler; or
- 141 (ii) a nebulizer with a mouthpiece or mask.
- 142 [(20)] (24) "Traumatic head injury" means an injury to the head arising from blunt trauma,
143 an acceleration force, or a deceleration force, with one of the following observed or
144 self-reported conditions attributable to the injury:
- 145 (a) transient confusion, disorientation, or impaired consciousness;
- 146 (b) dysfunction of memory;
- 147 (c) loss of consciousness; or
- 148 (d) signs of other neurological or neuropsychological dysfunction, including:
- 149 (i) seizures;
- 150 (ii) irritability;
- 151 (iii) lethargy;
- 152 (iv) vomiting;
- 153 (v) headache;
- 154 (vi) dizziness; or
- 155 (vii) fatigue.

156 Section 2. Section **26B-4-406** is amended to read:

157 **26B-4-406 . Voluntary participation.**

- 158 (1) Sections 26B-4-406 through [~~26B-4-411~~] 26B-4-412 do not create a duty or standard of
159 care for:
- 160 (a) a person to be trained in the use and storage of epinephrine auto-injectors, glucagon
161 kits, or stock albuterol; or
- 162 (b) except as provided in Subsection (5), a qualified epinephrine auto-injector entity to
163 store epinephrine auto-injectors, a qualified glucagon kit entity to store glucagon kits

on its premises, or a qualified stock albuterol entity to store stock albuterol on its premises.

- (2) Except as provided in Subsections (3) and (5), a decision by a person to successfully complete a training program under Section 26B-4-407[~~or~~] , 26B-4-408, or 26B-4-412 and to make emergency epinephrine auto-injectors, glucagon kits, or stock albuterol available under the provisions of Sections 26B-4-406 through [26B-4-411] 26B-4-412 is voluntary.
- (3) A school, school board, or school official may not prohibit or dissuade a teacher or other school employee at a primary or secondary school in the state, either public or private, from:
- (a) completing a training program under Section 26B-4-407[~~or~~] , 26B-4-408, or 26B-4-412;
- (b) possessing or storing an epinephrine auto-injector, glucagon kit, or stock albuterol on school property if:
- (i) the teacher or school employee is a qualified adult; and
- (ii) the possession and storage is in accordance with the training received under Section 26B-4-407[~~or~~] , 26B-4-408, or 26B-4-412; or
- (c) administering an epinephrine auto-injector, glucagon kit, or stock albuterol to any person, if:
- (i) the teacher or school employee is a qualified adult; and
- (ii) the administration is in accordance with the training received under Section 26B-4-407[~~or~~] , 26B-4-408, or 26B-4-412.
- (4) A school, school board, or school official may encourage a teacher or other school employee to volunteer to become a qualified adult.
- (5)(a) Each primary or secondary school in the state, both public and private, shall make an emergency epinephrine auto-injector available to any teacher or other school employee who:
- (i) is employed at the school; and
- (ii) is a qualified adult.
- (b) This section does not require a school described in Subsection (5)(a) to keep more than one emergency epinephrine auto-injector on the school premises, so long as it may be quickly accessed by a teacher or other school employee, who is a qualified adult, in the event of an emergency.
- (6)(a) Each primary or secondary school in the state, both public and private, may make

198 a glucagon kit available to any school employee who:

199 (i) is employed at the school; and

200 (ii) is a qualified adult.

201 (b) A qualified adult may administer a glucagon kit to a student who:

202 (i) has a diagnosis of diabetes by a health care provider;

203 (ii) has a glucagon authorization on file with the school; and

204 (iii) is showing symptoms of hypoglycemia.

205 (c) This Subsection (6) does not relieve a student's parent or guardian from providing a
206 student's medication or create an expectation that a school will have a glucagon kit
207 available.

208 ~~[(6)]~~ (7)(a) Each primary or secondary school in the state, both public and private, may
209 make stock albuterol available to any school employee who:

210 (i) is employed at the school; and

211 (ii) is a qualified adult.

212 (b) A qualified adult may administer stock albuterol to a student who:

213 (i) has a diagnosis of asthma by a health care provider;

214 (ii) has a current asthma action plan on file with the school; and

215 (iii) is showing symptoms of an asthma emergency as described in the student's
216 asthma action plan.

217 (c) This Subsection ~~[(6)]~~ (7) may not be interpreted to relieve a student's parent or
218 guardian of providing a student's medication or create an expectation that a school
219 will have stock albuterol available.

220 ~~[(7)]~~ (8) No school, school board, or school official shall retaliate or otherwise take adverse
221 action against a teacher or other school employee for:

222 (a) volunteering under Subsection (2);

223 (b) engaging in conduct described in Subsection (3); or

224 (c) failing or refusing to become a qualified adult.

225 Section 3. Section **26B-4-409** is amended to read:

226 **26B-4-409 . Authority to obtain and use an epinephrine auto-injector, glucagon**
227 **kit, or stock albuterol.**

228 (1) The school district physician, a department health care provider, the medical director of
229 the local health department, or the local emergency medical services director may
230 provide a prescription for the following if requested by a qualified adult, who is a
231 teacher or other school employee at a public or private primary or secondary school in

the state, or a school nurse:

(a) epinephrine auto-injectors for use in accordance with this part;

(b) a glucagon kit for use in accordance with this part; or

~~[(b)]~~ (c) stock albuterol for use in accordance with this part.

(2)(a) A qualified adult may obtain an epinephrine auto-injector for use in accordance with this part that is dispensed by:

(i) a pharmacist as provided under Section 58-17b-1004; or

(ii) a pharmacy intern as provided under Section 58-17b-1004.

(b) A qualified adult may obtain a glucagon kit for use in accordance with this part that is dispensed by:

(i) a pharmacist as provided under Section 58-17b-1004; or

(ii) a pharmacy intern as provided under Section 58-17b-1004.

~~[(b)]~~ (c) A qualified adult may obtain stock albuterol for use in accordance with this part that is dispensed by:

(i) a pharmacist as provided under Section 58-17b-1004; or

(ii) a pharmacy intern as provided under Section 58-17b-1004.

(3) A qualified adult:

(a) may immediately administer an epinephrine auto-injector to a person exhibiting potentially life-threatening symptoms of anaphylaxis when a physician or physician assistant is not immediately available; and

(b) shall initiate emergency medical services or other appropriate medical follow-up in accordance with the training materials retained under Section 26B-4-407 after administering an epinephrine auto-injector.

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

(a) may immediately administer a glucagon kit to an individual who:

(i) has a diagnosis of diabetes by a health care provider;

(ii) has a glucagon authorization on file with the school; and

(iii) is showing symptoms of hypoglycemia; and

(b) shall initiate appropriate medical follow-up in accordance with the training materials retained under Section 26B-4-412 after administering a glucagon kit.

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

(a) may immediately administer stock albuterol to an individual who:

(i) has a diagnosis of asthma by a health care provider;

(ii) has a current asthma action plan on file with the school; and

(iii) is showing symptoms of an asthma emergency as described in the student's asthma action plan; and

(b) shall initiate appropriate medical follow-up in accordance with the training materials retained under Section 26B-4-408 after administering stock albuterol.

~~[(5)]~~ (6)(a) A qualified entity that complies with Subsection ~~[(5)(b)]~~ (6)(b), ~~[or](c), or (d)~~, may obtain a supply of epinephrine auto-injectors, glucagon kits, or stock albuterol, respectively, from a pharmacist under Section 58-17b-1004, or a pharmacy intern under Section 58-17b-1004 for:

(i) storing:

(A) the epinephrine auto-injectors on the qualified epinephrine auto-injector entity's premises;

(B) the glucagon kits on the qualified glucagon kit entity's premises; and

~~[(B)]~~ (C) stock albuterol on the qualified stock albuterol entity's premises; and

(ii) use by a qualified adult in accordance with ~~[Subsection (3) or (4).]~~ Subsections (3) through (5).

(b) A qualified epinephrine auto-injector entity shall:

(i) designate an individual to complete an initial and annual refresher training program regarding the proper storage and emergency use of an epinephrine auto-injector available to a qualified adult; and

(ii) store epinephrine auto-injectors in accordance with the standards established by the department in Section 26B-4-411.

(c) A qualified glucagon kit entity shall:

(i) designate an individual to complete an initial and annual refresher training program regarding the proper storage and emergency use of a glucagon kit available to a qualified adult; and

(ii) store a glucagon kit in accordance with the standards established by the department in Section 26B-4-411.

~~[(e)]~~ (d) A qualified stock albuterol entity shall:

(i) designate an individual to complete an initial and annual refresher training program regarding the proper storage and emergency use of stock albuterol available to a qualified adult; and

(ii) store stock albuterol in accordance with the standards established by the department in Section 26B-4-411.

Section 4. Section **26B-4-410** is amended to read:

26B-4-410 . Immunity from liability.

- (1) The following, if acting in good faith, are not liable in any civil or criminal action for any act taken or not taken under the authority of Sections 26B-4-406 through ~~[26B-4-411]~~ 26B-4-412 with respect to an anaphylactic reaction, diabetic emergency, or asthma emergency:
- (a) a qualified adult;
 - (b) a physician, physician assistant, pharmacist, or any other person or entity authorized to prescribe or dispense prescription drugs;
 - (c) a person who conducts training described in Section 26B-4-407~~[-or]~~ , 26B-4-408, or 26B-4-412;
 - (d) a qualified epinephrine auto-injector entity;
 - ~~(e) a qualified glucagon kit entity;~~
 - ~~[(e)] (f)~~ a qualified stock albuterol entity;
 - ~~[(f)] (g)~~ the department;
 - ~~[(g)] (h)~~ a local health department;
 - ~~[(h)] (i)~~ a local education agency; and
 - ~~[(i)] (j)~~ a local emergency medical services entity.
- (2) Section 53G-9-502 does not apply to the administration of an epinephrine auto-injector, glucagon kit, or stock albuterol in accordance with this part.
- (3) This section does not eliminate, limit, or reduce any other immunity from liability or defense against liability that may be available under state law.

Section 5. Section **26B-4-411** is amended to read:

26B-4-411 . Administrative rulemaking authority.

The department shall adopt rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to:

- (1) establish and approve training programs in accordance with Sections 26B-4-407~~[-and]~~ , 26B-4-408, and 26B-4-412;
- (2) establish a procedure for determining who is eligible for training as a qualified adult under Subsection 26B-4-407(6)(b)(v); and
- (3) establish standards for storage of:
 - (a) emergency auto-injectors by a qualified epinephrine auto-injector entity under Section 26B-4-407;
 - (b) a glucagon kit by a qualified glucagon kit entity under Section 26B-4-412; and
 - ~~[(b)] (c)~~ stock albuterol by a qualified stock albuterol entity under Section 26B-4-408.

Section 6. Section **26B-4-412** is enacted to read:

26B-4-412 . Training in use and storage of a glucagon kit.

- (1)(a) Each primary and secondary school in the state, both public and private, shall make initial and annual refresher training regarding the storage and emergency use of a glucagon kit available to a teacher or school employee who volunteers to become a qualified adult.
- (b) The department shall provide the training described in Subsection (1)(a).
- (2) A person who provides training under Subsection (1) or (5) shall include in the training:
- (a) techniques for recognizing symptoms of a hypoglycemic emergency;
- (b) standards and procedures for the storage and emergency use of a glucagon kit;
- (c) emergency follow-up procedures, and contacting, if possible, the student's parent; and
- (d) written materials covering the information required under this Subsection (2).
- (3) A qualified adult shall retain for reference the written materials prepared in accordance with Subsection (2)(d).
- (4) A public or private school shall permit a student to possess and self-administer diabetes medication in accordance with Section 53G-9-506.
- (5) The department:
- (a) shall approve educational programs conducted by other persons to train:
- (i) people under Subsection (5)(b), regarding the proper use and storage of a glucagon kit; and
- (ii) a qualified glucagon kit entity regarding the proper storage and emergency use of a glucagon kit; and
- (b) may conduct educational programs to train people regarding the use of and storage of a glucagon kit.

Section 7. Section **58-17b-1002** is amended to read:

58-17b-1002 . Definitions.

As used in this part:

- (1) "Epinephrine auto-injector" means the same as that term is defined in Section 26B-4-401.
- (2) "Glucagon kit" means the same as that term is defined in Section 26B-4-401.
- ~~[(2)]~~ (3) "Local health department" means the same as that term is defined in Section 26A-1-102.
- ~~[(3)]~~ (4) "Physician" means the same as that term is defined in Section 58-67-102.
- ~~[(4)]~~ (5) "Qualified adult" means the same as that term is defined in Section 26B-4-401.
- ~~[(5)]~~ (6) "Qualified epinephrine auto-injector entity" means the same as that term is defined

in Section 26B-4-401.

~~[(6)]~~ (7) "Qualified stock albuterol entity" means the same as that term is defined in Section 26B-4-401.

~~[(7)]~~ (8) "Stock albuterol" means the same as that term is defined in Section 26B-4-401.

Section 8. Section **58-17b-1003** is amended to read:

58-17b-1003 . Voluntary participation.

This part does not create a duty or standard of care for a person to prescribe or dispense an epinephrine auto-injector, glucagon kit, or stock albuterol.

Section 9. Section **58-17b-1004** is amended to read:

58-17b-1004 . Authorization to dispense an epinephrine auto-injector, glucagon kit, and stock albuterol pursuant to a standing order.

(1) Notwithstanding any other provision of this chapter, a pharmacist or pharmacy intern may dispense an epinephrine auto-injector:

- (a)(i) to a qualified adult for use in accordance with Title 26B, Chapter 4, Part 4, School Health; or
- (ii) to a qualified epinephrine auto-injector entity for use in accordance with Title 26B, Chapter 4, Part 4, School Health;
- (b) pursuant to a standing prescription drug order made in accordance with Section 58-17b-1005;
- (c) without any other prescription drug order from a person licensed to prescribe an epinephrine auto-injector; and
- (d) in accordance with the dispensing guidelines in Section 58-17b-1006.

(2) Notwithstanding any other provision of this chapter, a pharmacist or pharmacy intern may dispense a glucagon kit:

- (a)(i) to a qualified adult for use in accordance with Title 26B, Chapter 4, Part 4, School Health; or
- (ii) to a qualified glucagon kit entity for use in accordance with Title 26B, Chapter 4, Part 4, School Health;
- (b) pursuant to a standing prescription drug order made in accordance with Section 58-17b-1005;
- (c) without any other prescription drug order from a person licensed to prescribe a glucagon kit; and
- (d) in accordance with the dispensing guidelines in Section 58-17b-1006.

~~[(2)]~~ (3) Notwithstanding any other provision of this chapter, a pharmacist or pharmacy

intern may dispense stock albuterol:

- (a)(i) to a qualified adult for use in accordance with Title 26B, Chapter 4, Part 4, School Health; or
- (ii) to a qualified stock albuterol entity for use in accordance with Title 26B, Chapter 4, Part 4, School Health;
- (b) pursuant to a standing prescription drug order made in accordance with Section 58-17b-1005;
- (c) without any other prescription drug order from a person licensed to prescribe stock albuterol; and
- (d) in accordance with the dispensing guidelines in Section 58-17b-1006.

Section 10. Section **58-17b-1005** is amended to read:

58-17b-1005 . Standing prescription drug orders for epinephrine auto-injectors, glucagon kits, and stock albuterol.

(1) As used in this section:

- (a) "Epinephrine protocol" means a protocol that:
 - (i) requires a physician to specify the persons, by professional license number, authorized to dispense the epinephrine auto-injector;
 - (ii) requires a physician to review at least annually the dispensing practices of the persons authorized by the physician to dispense the epinephrine auto-injector;
 - (iii) requires those authorized by a physician to dispense the epinephrine auto-injector to make and retain a record of each dispensing, including:
 - (A) the name of the qualified adult or qualified epinephrine auto-injector entity to whom the epinephrine auto-injector is dispensed;
 - (B) a description of the epinephrine auto-injector dispensed; and
 - (C) other relevant information; and
 - (iv) is approved by the division through rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, in collaboration with the Medical Licensing Board created in Section 58-67-201 and the board.
- (b) "Glucagon kit protocol" means a protocol that:
 - (i) requires a physician to specify the persons, by professional license number, authorized to dispense the glucagon kit;
 - (ii) requires a physician to review at least annually the dispensing practices of the persons authorized by the physician to dispense the glucagon kit;
 - (iii) requires those authorized by the physician to dispense the glucagon kit to make

- 436 and retain a record of each dispensing, including:
- 437 (A) the name of the qualified adult or qualified glucagon kit entity to whom the
- 438 glucagon kit is dispensed;
- 439 (B) a description of the glucagon kit dispensed; and
- 440 (C) other relevant information; and
- 441 (iv) is approved by the division through rule made in accordance with Title 63G,
- 442 Chapter 3, Utah Administrative Rulemaking Act, in collaboration with the
- 443 Medical Licensing Board created in Section 58-67-201 and the board.
- 444 [~~(b)~~] (c) "Stock albuterol protocol" means a protocol that:
- 445 (i) requires a physician to specify the persons, by professional license number,
- 446 authorized to dispense the stock albuterol;
- 447 (ii) requires a physician to review at least annually the dispensing practices of the
- 448 persons authorized by the physician to dispense the stock albuterol;
- 449 (iii) requires those authorized by the physician to dispense the stock albuterol to
- 450 make and retain a record of each dispensing, including:
- 451 (A) the name of the qualified adult or qualified stock albuterol entity to whom the
- 452 stock albuterol is dispensed;
- 453 (B) a description of the stock albuterol dispensed; and
- 454 (C) other relevant information; and
- 455 (iv) is approved by the division through rule made in accordance with Title 63G,
- 456 Chapter 3, Utah Administrative Rulemaking Act, in collaboration with the
- 457 Medical Licensing Board created in Section 58-67-201 and the board.
- 458 (2) Under Section 58-17b-1004, the Department of Health and Human Services shall have a
- 459 physician acting in the physician's capacity as an employee of the Department of Health
- 460 and Human Services issue a standing prescription drug order authorizing the dispensing
- 461 of:
- 462 (a) an epinephrine auto-injector in accordance with an epinephrine protocol;
- 463 **(b) a glucagon kit in accordance with a glucagon kit protocol; and**
- 464 [~~(b)~~] (c) stock albuterol in accordance with a stock albuterol protocol.
- 465 (3) Under Section 58-17b-1004, a medical director of a local health department may issue a
- 466 standing prescription drug order authorizing the dispensing of:
- 467 (a) an epinephrine auto-injector in accordance with an epinephrine protocol;
- 468 **(b) a glucagon kit in accordance with a glucagon kit protocol; or**
- 469 [~~(b)~~] (c) stock albuterol in accordance with a stock albuterol protocol.

Section 11. Section **58-17b-1006** is amended to read:

58-17b-1006 . Guidelines for dispensing an epinephrine auto-injector, glucagon kit, and stock albuterol.

(1) A pharmacist or pharmacy intern who dispenses an epinephrine auto-injector under this part shall, at a minimum, provide patient counseling to the qualified adult or qualified epinephrine auto-injector entity to whom the epinephrine auto-injector is dispensed regarding:

- (a) the appropriate administration and storage of the epinephrine auto-injector;
- (b) potential side effects and risks of the epinephrine auto-injector; and
- (c) when to seek emergency medical attention.

(2) A pharmacist or pharmacy intern who dispenses a glucagon kit under this part shall, at minimum, provide patient counseling to the qualified adult or qualified glucagon kit entity to whom the glucagon kit is dispensed regarding:

- (a) the appropriate administration and storage of the glucagon kit;
- (b) potential side effects and risks of the glucagon kit; and
- (c) when to seek emergency medical attention.

~~[(2)]~~ (3) A pharmacist or pharmacy intern who dispenses stock albuterol under this part shall, at a minimum, provide patient counseling to the qualified adult or qualified stock albuterol entity to whom the stock albuterol is dispensed regarding:

- (a) the appropriate administration and storage of the stock albuterol;
- (b) potential side effects and risks of the stock albuterol; and
- (c) when to seek emergency medical attention.

Section 12. Section **58-17b-1007** is amended to read:

58-17b-1007 . Limited civil liability.

~~[(1)]~~ A physician who issues a standing prescription drug order in accordance with Subsection ~~[58-17b-1005(1)]~~ 58-17b-1005(2) is not liable, under this part, for any civil damages for acts or omissions resulting from the dispensing of~~[-an]~~ :

- ~~(1) an epinephrine auto-injector[-under this part:] ;~~
- ~~(2) a glucagon kit; or~~

~~[(2)]~~ (3) ~~[A physician who issues a standing prescription drug order in accordance with Subsection 58-17b-1005(2) is not liable for any civil damages for acts or omissions resulting from the dispensing of]stock albuterol[-under this part].~~

Section 13. **Effective Date.**

This bill takes effect on July 1, 2025.