School Medication Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jen Plumb

House Sponsor: Steve Eliason

LONG TITLE

General Description:

This bill organizes and consolidates provisions that relate to medication in a school.

Highlighted Provisions:

This bill:

- defines a term;
- repeals certain sections of code and folds those sections into existing sections;
- organizes and consolidates provisions that relate to medication in a school; and
- makes technical and conforming changes.

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 2025, Chapter 445

26B-4-406, as last amended by Laws of Utah 2025, Chapter 445

26B-4-407, as last amended by Laws of Utah 2025, Chapter 122

26B-4-408, as renumbered and amended by Laws of Utah 2023, Chapter 307

26B-4-410, as last amended by Laws of Utah 2025, Chapter 445

26B-4-411, as last amended by Laws of Utah 2025, Chapter 445

26B-4-412, as enacted by Laws of Utah 2025, Chapter 445

RENUMBERS AND AMENDS:

26B-4-413, (Renumbered from 53G-9-502, as last amended by Laws of Utah 2025, Chapter 122)

26B-4-414, (Renumbered from 53G-9-505, as last amended by Laws of Utah 2024, Chapter 309)

26B-4-415, (Renumbered from 53G-9-507, as enacted by Laws of Utah 2024,

S.B. 104

Chapter 309)

REPEALS:

53G-9-501, as enacted by Laws of Utah 2018, Chapter 3

53G-9-504, as last amended by Laws of Utah 2019, Chapters 293, 349

53G-9-506, as last amended by Laws of Utah 2019, Chapter 293

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

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

26B-4-401 . Definitions.

As used in this part:

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

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

(i) a sports team;

(ii) a public or private school;

(iii) a public or private sports league;

(iv) a public or private sports camp; or

(v) any other public or private organization that organizes, manages, or sponsors a sporting event for [~~its~~] the organization's members, enrollees, or attendees.

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

(i) team;

(ii) league; or

(iii) sporting event.

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

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

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

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

(a) developed with a school nurse, a student's parent or guardian, and the student's health 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 the

following symptoms[~~such as~~] :

(a) wheezing[~~,~~] ;

(b) [~~-~~]shortness of breath[~~,~~] ;

(c) coughing[~~,~~] ;

(d) chest tightness[~~,~~] ; or[~~-~~]

(e) breathing difficulty.

(6) "Child" means an individual who is under 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 nasal spray" means a portable, disposable drug delivery device that contains a measured, single dose of epinephrine administered nasally, 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~~] Section 26B-4-412.

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

(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.

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

(14) "Local education agency" or "LEA" means the same as that term is defined in Section 53E-1-102.

[~~(14)~~] (15) "Pharmacist" means the same as that term is defined in Section 58-17b-102.

[~~(15)~~] (16) "Pharmacy intern" means the same as that term is defined in Section 58-17b-102.

[~~(16)~~] (17) "Physician" means the same as that term is defined in Section 58-67-102.

[~~(17)~~] (18) "Public school" means a district school or a charter school.

[~~(18)~~] (19) "Qualified adult" means a person who:

(a) is at least 18 years old; and

(b)(i) for purposes of administering an injectable epinephrine rescue medication, 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

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

[~~(19)~~] (20) "Qualified injectable epinephrine rescue medication entity":

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

(b) includes:

(i) recreation camps;

(ii) an education facility, school, or university;

(iii) a day care facility;

(iv) youth sports leagues;

(v) amusement parks;

(vi) food establishments;

(vii) places of employment; and

(viii) recreation areas.

[~~(20)~~] (21) "Qualified glucagon kit entity" means a public or private school that employs, contracts with, or has a similar relationship with a qualified adult who is likely to have contact with another person who may experience a diabetic emergency.

[~~(21)~~] (22) "Qualified health care provider" means a health care provider who:

(a) is licensed under Title 58, Occupations and Professions; and

(b) may evaluate and manage a concussion within the health care provider's scope of practice.

[~~(22)~~] (23) "Qualified stock albuterol entity" means a public or private school that employs, contracts with, or has a similar relationship with a qualified adult who is likely to have contact with another person who may experience an asthma emergency.

[~~(23)~~] (24)(a) "Sporting event" means any of the following athletic activities [~~that is organized, managed, or sponsored by an organization~~] an organization organizes, manages, or sponsors:

(i) a game;

(ii) a practice;

(iii) a sports camp;

(iv) a physical education class;

(v) a competition; or

(vi) a tryout.

(b) "Sporting event" does not include:

(i) the issuance of a lift ticket or pass by a ski resort, the use of the ticket or pass, or a ski or snowboarding class or school at a ski resort, unless the skiing or snowboarding is part of a camp, team, or competition that is organized, managed, or sponsored by the ski resort;

(ii) as applied to a government entity, merely making available a field, facility, or other location owned, leased, or controlled by the government entity to an amateur sports organization or a child, regardless of whether the government entity charges a fee for the use; or

(iii) free play or recess taking place during school hours.

[~~(24)~~] (25) "Stock albuterol" means a prescription inhaled medication:

(a) used to treat asthma; and

(b) that may be delivered through a device, including:

(i) an inhaler; or

(ii) a nebulizer with a mouthpiece or mask.

[~~(25)~~] (26) "Traumatic head injury" means an injury to the head arising from blunt trauma, an acceleration force, or a deceleration force, with one of the following observed or self-reported conditions attributable to the injury:

(a) transient confusion, disorientation, or impaired consciousness;

(b) dysfunction of memory;

(c) loss of consciousness; or

(d) signs of other neurological or neuropsychological dysfunction, including:

(i) seizures;

(ii) irritability;

(iii) lethargy;

(iv) vomiting;

(v) headache;

(vi) dizziness; or

(vii) fatigue.

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

26B-4-406 . Voluntary participation.

(1) Sections 26B-4-406 through 26B-4-412 do not create a duty or standard of care for:

(a) a person to be trained in the use and storage of injectable epinephrine , rescue medication, glucagon kits, or stock albuterol; or

(b) except as [~~provided in Subsection (5)~~] described in Subsection 26B-4-407(1)(a)(i), a qualified injectable epinephrine rescue medication entity to store injectable epinephrine rescue medication, a qualified glucagon kit entity to store glucagon kits on [~~its~~] the qualified glucagon kit entity's premises, or a qualified stock albuterol entity to store stock albuterol on [~~its~~] the qualified stock albuterol entity's premises.

(2) Except as provided in [~~Subsections (3) and (5)~~] Subsection (3) and as described in Subsection 26B-4-407(1)(a)(i), a [~~decision by a person~~] person's decision to successfully complete a training program under Section 26B-4-407, 26B-4-408, or 26B-4-412 and to make emergency injectable epinephrine rescue medication, glucagon kits, or stock albuterol available under the provisions of Sections 26B-4-406 through 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, 26B-4-408, or 26B-4-412;

(b) possessing or storing an injectable epinephrine rescue medication, 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, 26B-4-408, or 26B-4-412; or

(c) administering an injectable epinephrine rescue medication, 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, 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 injectable epinephrine rescue medication 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 injectable epinephrine rescue medication 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 a glucagon kit available to any school employee who:~~]

[~~(i) is employed at the school; and~~]

[~~(ii) is a qualified adult.~~]

[~~(b) A qualified adult may administer a glucagon kit to a student 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.~~]

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

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

[~~(i) is employed at the school; and~~]

[~~(ii) is a qualified adult.~~]

[~~(b) A qualified adult may administer stock albuterol to a student who:~~]

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

[~~(ii) except as provided in Subsection (7)(d), has a current asthma action plan on file with the school; and~~]

[~~(iii) except as provided in Subsection (7)(d), is showing symptoms of an asthma emergency as described in the student's asthma action plan.~~]

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

[~~(d) A qualified adult may administer stock albuterol to any student who appears to be experiencing respiratory distress or an asthma emergency on the qualified adult's training under Section 26-4-408 and regardless of whether a current asthma plan is on file.~~]

[~~(8)~~] (5) No school, school board, or school official shall retaliate or otherwise take adverse action against a teacher or other school employee for:

(a) volunteering under Subsection (2);

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

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

Section 3. Section **26B-4-407** is amended to read:

26B-4-407 . Requirement to stock injectable epinephrine rescue medication -- Training in use and storage of injectable epinephrine rescue medication.

(1)(a) Each primary and secondary school in the state, both public and private, shall:

(i) make an emergency injectable epinephrine rescue medication available to any teacher or other school employee who:

(A) is employed at the school; and

(B) is a qualified adult; and

(ii) [~~-~~]make initial and annual refresher training, regarding the storage and emergency use of an injectable epinephrine rescue medication, available to any teacher or other school employee who volunteers to become a qualified adult.

(b) This section does not require a school described in Subsection (1)(a) to keep more than one emergency injectable epinephrine rescue medication on the school premises, if a teacher or other school employee, who is a qualified adult, can quickly access the emergency injectable epinephrine rescue medication in the event of an emergency.

[~~(b)~~] (c) [~~The training described in Subsection (1)(a) may be provided by the school nurse, or other person qualified to provide such training, designated by the school district physician, the medical director of the local health department, or the local emergency medical services director~~] A school nurse, or another person qualified to provide the training described in Subsection (1)(a)(ii), may provide the training if the school district physician, the medical director of the local health department, or the local emergency medical services director, designates the school nurse or qualified person.

(2) A person who provides training under [~~Subsection (1)~~] Subsection (1)(a)(ii) or (6) shall include in the training:

(a) techniques for recognizing symptoms of anaphylaxis;

(b) standards and procedures for the storage and emergency use of injectable epinephrine rescue medication;

(c) emergency follow-up procedures, including calling the emergency 911 number and

contacting, if possible, the student's parent and physician; 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 school shall permit a student to:

(a) possess an epinephrine nasal spray;

(b) self-administer an epinephrine nasal spray;

(c) possess an injectable epinephrine rescue medication; or

(d) self-administer an injectable epinephrine rescue medication if:

(i) the student's parent or guardian signs a statement:

(A) authorizing the student to possess or possess and self-administer an injectable epinephrine rescue medication; and

(B) acknowledging that the student is responsible for, and capable of, possessing or possessing and self-administering an injectable epinephrine rescue medication; and

(ii) the student's health care provider provides a written statement that states that:

(A) it is medically appropriate for the student to possess or possess and self-administer an injectable epinephrine rescue medication; and

(B) the student should be in possession of the injectable epinephrine rescue medication at all times.

(5) The department, in cooperation with the state superintendent of public instruction, shall design forms to be used by public and private schools for the parental and health care providers statements described in Subsection (4).

(6)(a) The department:

(i) shall approve educational programs [~~conducted by other persons,~~] other persons conduct to train:

(A) people under Subsection (6)(b) [~~of this section~~], regarding the proper use and storage of emergency injectable epinephrine rescue medication; and

(B) a qualified injectable epinephrine rescue medication entity regarding the proper storage and emergency use of injectable epinephrine rescue medication; and

(ii) may, as funding is available, conduct educational programs to train people regarding the use of and storage of emergency injectable epinephrine rescue medication.

(b) A person who volunteers to receive training as a qualified adult to administer an injectable epinephrine rescue medication under the provisions of this Subsection (6) shall demonstrate a need for the training to the department, which may be based upon occupational, volunteer, or family circumstances, and shall include:

(i) camp counselors;

(ii) scout leaders;

(iii) forest rangers;

(iv) tour guides; and

(v) other persons who have or reasonably expect to have contact with at least one other person as a result of the person's occupational or volunteer status.

Section 4. Section **26B-4-408** is amended to read:

26B-4-408 . Training in use and storage of stock albuterol.

(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 stock albuterol 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)[~~ shall be provided by the department~~].

(2)(a) Each primary or secondary school in the state, both public and private, may make stock albuterol available to any school employee who:

(i) is employed at the school; and

(ii) is a qualified adult.

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

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

(ii) except as provided in Subsection (2)(d), has a current asthma action plan on file with the school; and

(iii) except as provided in Subsection (2)(d), is showing symptoms of an asthma emergency as described in the student's asthma action plan.

(c) This Subsection (2) may not be interpreted to relieve a student's parent or guardian of providing a student's medication or create an expectation that a school will have stock albuterol available.

(d) A qualified adult may administer stock albuterol to any student who appears to be experiencing respiratory distress or an asthma emergency, consistent with the qualified adult's training under this section, and regardless of whether a current

asthma action plan is on file.

[~~(2)~~] (3) A person who provides training under [~~Subsection (1) or (6)~~] Subsection (1) or (7) shall include in the training:

(a) techniques for recognizing symptoms of an asthma emergency;

(b) standards and procedures for the storage and emergency use of stock albuterol;

(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)~~] Subsection (3).

[~~(3)~~] (4) A qualified adult shall retain for reference the written materials prepared in accordance with [~~Subsection (2)(d)~~] Subsection (3)(d).

[~~(4)~~] (5)(a) A public or private school shall permit a student to possess and self-administer asthma medication if:

(i) the student's parent or guardian signs a statement:

(A) authorizing the student to self-administer asthma medication; and

(B) acknowledging that the student is responsible for, and capable of, self-administering the asthma medication; and

(ii) the student's health care provider provides a written statement that states:

(A) it is medically appropriate for the student to self-administer asthma medication and be in possession of asthma medication at all times; and

(B) the name of the asthma medication prescribed or authorized for the student's use.

(b) Section 53G-8-205 does not apply to the possession and self-administration of asthma medication in accordance with this section.

[~~(5)~~] (6) The department, in cooperation with the state superintendent of public instruction, shall design forms to be used by public and private schools for the parental and health care provider statements described in [~~Subsection (4)~~] Subsection (5).

[~~(6)~~] (7) The department:

(a) shall approve educational programs[~~conducted by other persons~~] other persons conduct to train:

(i) people under [~~Subsection (6)(b)~~] Subsection (7)(b), regarding the proper use and storage of stock albuterol; and

(ii) a qualified stock albuterol entity regarding the proper storage and emergency use of stock albuterol; and

(b) may conduct educational programs to train people regarding the use of and storage of

stock albuterol.

Section 5. 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-4-412 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, 26B-4-408, or 26B-4-412;

(d) a qualified injectable epinephrine rescue medication entity;

(e) a qualified glucagon kit entity;

(f) a qualified stock albuterol entity;

(g) the department;

(h) a local health department;

(i) a local education agency; and

(j) a local emergency medical services entity.

(2) [~~Section 53G-9-502~~] Section 26B-4-413 does not apply to the administration of an injectable epinephrine rescue medication, 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 6. 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[~~,~~] :

(a) 26B-4-407[~~,~~] ;

(b) 26B-4-408[~~, and~~] ;

(c) 26B-4-412;

(d) 26B-4-414; and

(e) 26B-4-415;

(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 injectable epinephrine rescue medication by a qualified injectable epinephrine rescue medication entity under Section 26B-4-407;

(b) a glucagon kit by a qualified glucagon kit entity under Section 26B-4-412; and

(c) stock albuterol by a qualified stock albuterol entity under Section 26B-4-408.

Section 7. Section **26B-4-412** is amended to read:

26B-4-412 . Diabetes medication -- Administration of glucagon -- Training in use and storage of a glucagon kit -- Authority to use glucagon -- Immunity from liability.

(1) As used in this section:

(a) "Diabetes medication" means prescription or nonprescription medication used to treat diabetes, including related medical devices, supplies, and equipment used to treat diabetes.

(b) "Glucagon authorization" means a signed statement from a parent of a student with diabetes:

(i) certifying that glucagon has been prescribed for the student;

(ii) requesting that the student's public school identify and train school personnel who volunteer to be trained in the administration of glucagon in accordance with this section; and

(iii) authorizing the administration of glucagon in an emergency to the student in accordance with this section.

[~~(1)~~] (2)[~~(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.

(3)(a) Each primary or secondary school in the state, both public and private, may make a glucagon kit available to any school employee who:

(i) is employed at the school; and

(ii) is a qualified adult.

(b) A qualified adult may administer a glucagon kit to a student 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.

(c) This Subsection (3) does not relieve a student's parent or guardian from providing a

student's medication or create an expectation that a school will have a glucagon kit available.

(4) Each public school shall:

(a) within a reasonable time after receiving a glucagon authorization, train two or more school personnel who volunteer to be trained in the administration of glucagon, with training the school nurse or another qualified, licensed medical professional provides;

(b) allow all willing school personnel to receive training in the administration of glucagon, and the school shall assist and may not obstruct the identification or training of volunteers under this Subsection (4);

(c) permit a student or school personnel to possess or store prescribed glucagon so that it will be available for administration in an emergency in accordance with this section; and

(d) retain for reference the written materials prepared in accordance with Subsection (5)(b)(iv).

(5) The department, in cooperation with the state superintendent, shall:

(a) design a glucagon authorization form to be used by public schools in accordance with this section; and

(b) [~~The department shall~~]provide the training described in [~~Subsection (1)(a).~~] Subsection (2), including:

(i) techniques for recognizing the symptoms that warrant the administration of glucagon;

(ii) standards and procedures for the storage and use of glucagon;

(iii) other emergency procedures, including calling the emergency 911 number and contacting, if possible, the student's parent; and

(iv) written materials covering the information required under this Subsection (5); and

(c) design forms a public school uses for the parental and health care provider statements described in Subsection (9).

[~~(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)~~] (6) A qualified adult shall retain for reference the written materials prepared in

accordance with [~~Subsection (2)(d)~~] Subsection (5)(b)(iv).

(7)(a) An individual who has received training in accordance with this section may administer glucagon at a school or school activity to a student with a glucagon authorization if:

(i) the student is exhibiting the symptoms that warrant the administration of glucagon; and

(ii) a licensed health care professional is not immediately available.

(b) A person who administers glucagon in accordance with Subsection (3)(b) shall direct a responsible person to call 911 and take other appropriate actions in accordance with the training materials retained under Subsection (6).

(8) School personnel who provide or receive training under this section and act in good faith are not liable in any civil or criminal action for any act taken or not taken under the authority of this section with respect to the administration of glucagon.

[~~(4) A public or private school shall permit a student to possess and self-administer diabetes medication in accordance with Section 53G-9-506.~~]

(9) A public school shall permit a student to possess or possess and self-administer diabetes medication if:

(a) the student's parent signs a statement:

(i) authorizing the student to possess and self-administer diabetes medication; and

(ii) acknowledging that the student is responsible for, and capable of, possessing or possessing and self-administering the diabetes medication; and

(b) the student's health care provider provides a written statement that states:

(i) it is medically appropriate for the student to possess or possess and self-administer diabetes medication and the student should be in possession of diabetes medication at all times; and

(ii) the name of the diabetes medication prescribed or authorized for the student's use.

[~~(5)~~] (10) The department:

(a) shall approve educational programs [~~conducted by other persons~~] other persons conduct to train:

(i) people under [~~Subsection (5)(b)~~] Subsection (10)(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.

(11) Section 26B-4-413 does not apply to the administration of glucagon in accordance with this section.

(12) Section 53G-8-205 does not apply to:

(a) the possession and administration of glucagon in accordance with this section; or

(b) the possession and self-administration of diabetes medication in accordance with this section.

(13) The unlawful or unprofessional conduct provisions of Title 58, Occupations and Professions, do not apply to a person licensed as a health professional under Title 58, Occupations and Professions, including a nurse, physician, physician assistant, or pharmacist who, in good faith, trains nonlicensed volunteers to administer glucagon in accordance with this section.

Section 8. Section **26B-4-413**, which is renumbered from Section 53G-9-502 is renumbered and amended to read:

[~~53G-9-502~~] 26B-4-413 . Administration of medication to students -- Prerequisites -- Immunity from liability -- Applicability.

(1) A public or private school that holds any classes in grades kindergarten through 12 may provide for the administration of medication, including epinephrine nasal spray as that term is defined in Section 26B-4-401, to any student during periods when the student is under the control of the school, subject to the following conditions:

(a) the local school board, charter school governing board, or the private equivalent, after consultation with the [~~Department of Health and Human Services~~] department and school nurses shall adopt policies that provide for:

(i) the designation of volunteer employees who may administer medication;

(ii) proper identification and safekeeping of medication;

(iii) the training of designated volunteer employees by the school nurse;

(iv) maintenance of records of administration; and

(v) notification to the school nurse of medication that will be administered to students; and

(b) medication may only be administered to a student if:

(i) the student's parent has provided a current written and signed request that medication be administered during regular school hours to the student; and

(ii) the student's licensed health care provider has prescribed the medication and provides documentation as to the method, amount, and time schedule for

administration, and a statement that administration of medication by school employees during periods when the student is under the control of the school is medically necessary.

(2) Authorization for administration of medication by school personnel may be withdrawn by the school at any time following actual notice to the student's parent.

(3) School personnel who provide assistance under Subsection (1) in substantial compliance with the licensed health care provider's written prescription and the employers of these school personnel are not liable, civilly or criminally, for:

(a) any adverse reaction suffered by the student as a result of taking the medication; and

(b) discontinuing the administration of the medication under Subsection (2).

(4) Subsections (1) through (3) do not apply to:

(a) the administration of glucagon in accordance with [~~Section 53G-9-504~~] Section 26B-4-412;

(b) the administration of a seizure rescue medication in accordance with [~~Section 53G-9-505~~] Section 26B-4-414;

(c) the administration of an opiate antagonist in accordance with Title 26B, Chapter 4, Part 5, Treatment Access; or

(d) the administration of an adrenal insufficiency medication in accordance with [~~Section 53G-9-507~~] Section 26B-4-415.

Section 9. Section **26B-4-414**, which is renumbered from Section 53G-9-505 is renumbered and amended to read:

[~~53G-9-505~~] 26B-4-414 . Trained school employee volunteers -- Administration of seizure rescue medication -- Exemptions from liability.

(1) As used in this section:

(a) "Prescribing health care professional" means:

(i) a physician and surgeon licensed under Title 58, Chapter 67, Utah Medical Practice Act;

(ii) an osteopathic physician and surgeon licensed under Title 58, Chapter 68, Utah Osteopathic Medical Practice Act;

(iii) an advanced practice registered nurse licensed under Title 58, Chapter 31b, Nurse Practice Act; or

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

(b) "Seizure rescue authorization" means a student's individualized healthcare plan that:

(i) certifies that:

(A) a prescribing health care professional has prescribed a seizure rescue medication for the student;

(B) the student's parent has previously administered the student's seizure rescue medication in a nonmedically-supervised setting without a complication; and

(C) the student has previously ceased having full body prolonged or convulsive seizure activity as a result of receiving the seizure rescue medication;

(ii) describes the specific seizure rescue medication authorized for the student, including the indicated dose, and instructions for administration;

(iii) requests that the student's public school identify and train school employees who are willing to volunteer to receive training to administer a seizure rescue medication in accordance with this section; and

(iv) authorizes a trained school employee volunteer to administer a seizure rescue medication in accordance with this section.

(c)(i) "Seizure rescue medication" means a medication, prescribed by a prescribing health care professional, to be administered as described in a student's seizure rescue authorization, while the student experiences seizure activity.

(ii) A seizure rescue medication does not include a medication administered intravenously or intramuscularly.

(d) "Trained school employee volunteer" means an individual who:

(i) is an employee of a public school where at least one student has a seizure rescue authorization;

(ii) is at least 18 years old; and

(iii) as described in this section:

(A) volunteers to receive training in the administration of a seizure rescue medication;

(B) completes a training program described in this section;

(C) demonstrates competency on an assessment; and

(D) completes annual refresher training each year that the individual intends to remain a trained school employee volunteer.

(2)(a) The [~~Department of Health and Human Services~~] department shall, with input from the state board and a children's hospital, develop a training program for trained school employee volunteers in the administration of seizure rescue medications that includes:

(i) techniques to recognize symptoms that warrant the administration of a seizure rescue medication;

(ii) standards and procedures for the storage of a seizure rescue medication;

(iii) procedures, in addition to administering a seizure rescue medication, [~~in the event that~~] if a student requires administration of the seizure rescue medication, including:

(A) calling 911; and

(B) contacting the student's parent;

(iv) an assessment to determine if an individual is competent to administer a seizure rescue medication;

(v) an annual refresher training component; and

(vi) written materials describing the information required under this Subsection (2)(a).

(b) A public school shall retain for reference the written materials described in Subsection (2)(a)(vi).

(c) The following individuals may provide the training described in Subsection (2)(a):

(i) a school nurse; or

(ii) a licensed heath care professional.

(3)(a) A public school shall, after receiving a seizure rescue authorization:

(i) inform school employees of the opportunity to be a school employee volunteer; and

(ii) subject to Subsection (3)(b)(ii), provide training, to each school employee who volunteers, using the training program described in Subsection (2)(a).

(b) A public school may not:

(i) obstruct the identification or training of a trained school employee volunteer; or

(ii) compel a school employee to become a trained school employee volunteer.

(4) A trained school employee volunteer may possess or store a prescribed rescue seizure medication, in accordance with this section.

(5) A trained school employee volunteer may administer a seizure rescue medication to a student with a seizure rescue authorization if:

(a) the student is exhibiting a symptom, described on the student's seizure rescue authorization, that warrants the administration of a seizure rescue medication; and

(b) a licensed health care professional is not immediately available to administer the seizure rescue medication.

(6) A trained school employee volunteer who administers a seizure rescue medication shall

direct an individual to call 911 and take other appropriate actions in accordance with the training described in Subsection (2).

(7) A trained school employee volunteer who administers a seizure rescue medication in accordance with this section in good faith is not liable in a civil or criminal action for an act taken or not taken under this section.

(8) [~~Section 53G-9-502~~] Section 26B-4-413 does not apply to the administration of a seizure rescue medication.

(9) Section 53G-8-205 does not apply to the possession of a seizure rescue medication in accordance with this section.

(10)(a) The unlawful or unprofessional conduct provisions of Title 58, Occupations and Professions, do not apply to a person licensed as a health care professional under Title 58, Occupations and Professions, including a nurse, physician, physician assistant, or pharmacist for, in good faith, training a nonlicensed school employee who volunteers to administer a seizure rescue medication in accordance with this section.

(b) Allowing a trained school employee volunteer to administer a seizure rescue medication in accordance with this section does not constitute unlawful or inappropriate delegation under Title 58, Occupations and Professions.

Section 10. Section **26B-4-415**, which is renumbered from Section 53G-9-507 is renumbered and amended to read:

[~~53G-9-507~~] Section 26B-4-415 . Administration of adrenal insufficiency medication -- Training of school personnel -- Authority to use adrenal insufficiency medication -- Immunity from liability.

(1) As used in this section:

(a) "Adrenal crisis" means a sudden, severe worsening of symptoms associated with adrenal insufficiency, including vomiting, diarrhea, dehydration, low blood pressure, or loss of consciousness, or severe pain in the lower back, abdomen or legs.

(b) "Adrenal crisis rescue authorization" means a student's individualized healthcare plan that:

(i) certifies that a prescribing health care professional has prescribed an adrenal crisis rescue medication for the student;

(ii) describes the specific adrenal crisis rescue medication authorized for the student, including the indicated dose, and instructions for administration;

(iii) requests that the student's public school identify and train school employees who

are willing to volunteer to receive training to administer an adrenal crisis rescue medication in accordance with this section; and

(iv) authorizes a trained school employee volunteer to administer an adrenal crisis rescue medication in accordance with this section.

(c) "Adrenal crisis rescue medication" means a medication that a prescribing health care professional prescribes for administration to a student during an adrenal crisis activity as described in a student's adrenal crisis rescue authorization.

(d) "Adrenal insufficiency" means an endocrine disorder that occurs when the adrenal glands do not adequately produce adrenal hormones.

(e) "Prescribing health care professional" means:

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

(ii) an osteopathic physician licensed under Title 58, Chapter 68, Utah Osteopathic Medical Practice Act;

(iii) an advanced practice registered nurse licensed under Title 58, Chapter 31b, Nurse Practice Act; or

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

(f) "Trained school employee volunteer" means an individual who:

(i) is an employee of an LEA in which at least one student is enrolled who has an adrenal crisis rescue authorization;

(ii) is at least 18 years old; and

(iii) as described in this section:

(A) volunteers to receive training in the administration of an adrenal crisis medication;

(B) completes a training program described in this section;

(C) demonstrates competency to administer an adrenal crisis rescue medication through an assessment; and

(D) completes annual training during each year in which the individual intends to act as a trained school employee volunteer.

(2)(a) The [~~Department of Health and Human Services~~] department shall, with input from the state board and a children's hospital, develop a training program for trained school employee volunteers in the administration of adrenal crisis rescue medication.

(b) A public school shall retain for reference the written materials created for the training program described in Subsection (2)(a).

(3)(a) A public school shall, after receiving an adrenal crisis rescue authorization:

(i) inform school employees of the opportunity to be a school employee volunteer; and

(ii) subject to Subsection (3)(b)(ii), provide training to each school employee who volunteers, using the training described in Subsection (2)(a).

(b) A public school may not:

(i) obstruct the identification or training of a trained school employee volunteer; or

(ii) compel a school employee to become a trained school employee volunteer.

(4) A trained school employee volunteer may:

(a) possess or store a prescribed adrenal crisis rescue medication, in accordance with this section; and

(b) administer an adrenal crisis rescue medication to a student with an adrenal crisis rescue authorization if:

(i) the student exhibits a symptom, described on the student's adrenal crisis rescue authorization, that warrants the administration of an adrenal crisis rescue medication; and

(ii) a licensed health care professional is not immediately available to administer the adrenal crisis rescue medication.

(5) A trained school employee volunteer who administers an adrenal crisis rescue medication shall take appropriate action in accordance with the training described in Subsection (2).

(6) A trained school employee volunteer who administers an adrenal crisis rescue medication in accordance with this section in good faith is not liable in a civil or criminal action for an act taken or not taken under this section.

(7) [~~Section 53G-9-502~~] Section 26B-4-413 does not apply to the administration of an adrenal crisis rescue medication.

(8) Section 53G-8-205 does not apply to the possession of an adrenal crisis rescue medication in accordance with this section.

(9)(a) The unlawful or unprofessional conduct provisions of Title 58, Occupations and Professions, do not apply to an individual who is licensed as a health care professional under Title 58, Occupations and Professions, including a nurse, physician, physician assistant, or pharmacist, for training, in good faith, a school employee who:

(i) volunteers to administer an adrenal crisis rescue medication in accordance with

this section; and

(ii) is not licensed under Title 58, Occupations and Professions.

(b) Allowing a trained school employee volunteer to administer an adrenal crisis rescue medication in accordance with this section does not constitute unlawful or inappropriate delegation under Title 58, Occupations and Professions.

Section 11. **Repealer.**

This bill repeals:

Section **53G-9-501, Definitions.**

Section **53G-9-504, Administration of glucagon -- Training of volunteer school personnel -- Authority to use glucagon -- Immunity from liability.**

Section **53G-9-506, Diabetes medication -- Possession -- Self-administration.**

Section 12. **Effective Date.**

This bill takes effect on July 1, 2026.