

Effective 8/1/2024

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 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 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.
- (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) "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.
- (10) "Pharmacist" means the same as that term is defined in Section 58-17b-102.
- (11) "Pharmacy intern" means the same as that term is defined in Section 58-17b-102.
- (12) "Physician" means the same as that term is defined in Section 58-67-102.
- (13) "Public school" means a district school or a charter school.
- (14) "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; and

- (ii) for purposes of administering stock albuterol, has successfully completed the training program established in Section 26B-4-408.
- (15) "Qualified epinephrine auto-injector 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.
- (16) "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.
- (17) "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.
- (18)
 - (a) "Sporting event" means any of the following athletic activities that is organized, managed, or sponsored by an organization:
 - (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.
- (19) "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.
- (20) "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.

Amended by Chapter 311, 2024 General Session