

Proposed Amendment to HB 2547
Senate Committee on Public Health & Welfare
March 18, 2024
Prepared by Office of Revisor of Statutes

Session of 2024

HOUSE BILL No. 2547

By Committee on Health and Human Services

Requested by Representative Eplee on behalf of Kansas School Nurses
Organization

1-18

AN ACT concerning schools; relating to student health; authorizing the maintenance of emergency medication kits for certain life-threatening conditions; requiring a prescription for distribution of emergency medication to schools; providing requirements for the administration of emergency medication by school personnel, training; exempting certain persons from the practice of healing arts and civil liability if acting in good faith; amending K.S.A. 65-1680, 65-2872b and 72-6283 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 65-1680 is hereby amended to read as follows: 65-1680. ~~The state board of pharmacy may adopt any rules and regulations which the board deems necessary in relation to the maintenance of epinephrine kits under K.S.A. 72-6283, and amendments thereto.~~ (a) A pharmacist may distribute a stock supply of standard-dose and pediatric-dose epinephrine auto-injectors to a school pursuant to a prescription made pursuant to K.S.A. 72-6283, and amendments thereto, from a physician or mid-level practitioner in the name of the school. A pharmacist who distributes a stock supply of standard-dose or pediatric-dose epinephrine auto-injectors to a school shall not be liable for civil damages resulting from the administration of such medication pursuant to this section, K.S.A. 65-2872b or 72-6283, and amendments thereto.

(b) A pharmacist may distribute a stock supply of albuterol metered-dose inhalers, albuterol solution and spacers to a school pursuant to a prescription made pursuant to K.S.A. 72-6283, and amendments thereto, from a physician or mid-level practitioner in the name of the school. A pharmacist who distributes a stock supply of albuterol metered-dose inhalers, albuterol solution or spacers to a school shall not be liable for civil damages resulting from the administration of such medication pursuant to this section, K.S.A. 65-2872b or 72-6283, and amendments thereto.

(c) The terms used in this section mean the same as defined in K.S.A. 72-6283, and amendments thereto.

Sec. 2. K.S.A. 65-2872b is hereby amended to read as follows: 65-

1 (16) "Spacer" means a holding chamber that is used to optimize the
2 delivery of aerolized albuterol from an albuterol metered-dose inhaler.

3 (17) "Stock supply" means an appropriate quantity of emergency
4 medication as recommended by a physician or mid-level practitioner.

5 (b) (1) A school may maintain a stock supply of emergency
6 medication upon obtaining a prescription from a physician or mid-level
7 practitioner in the name of the school. A physician or mid-level
8 practitioner shall review the school's policies and procedures established
9 pursuant to subsection (c) prior to prescribing such emergency
10 medication.

11 (2) A stock supply of epinephrine may consist of one or more
12 standard-dose or pediatric-dose epinephrine auto-injectors. A school
13 nurse or designated school personnel may administer such epinephrine in
14 an emergency situation to any individual who displays the signs and
15 symptoms of anaphylaxis at school, on school property or at a school-
16 sponsored event if such school nurse or designated school personnel
17 reasonably believes that an individual is exhibiting the signs and
18 symptoms of an anaphylactic reaction.

19 (3) A stock supply of albuterol may consist of one or more albuterol
20 metered-dose inhalers, one or more doses of albuterol solution and one or
21 more spacers or nebulizers. A school nurse or designated school
22 personnel may administer such albuterol in an emergency situation to any
23 individual who displays the signs and symptoms of respiratory distress at
24 school, on school property or at a school-sponsored event if such school
25 nurse or designated school personnel reasonably believes that an
26 individual is exhibiting the signs and symptoms of respiratory distress.

27 (c) A school that maintains a stock supply of emergency medication
28 shall establish school policies and procedures relating to:

29 (1) Storage of the emergency medication, which shall require that the
30 emergency medication is stored:

31 (A) In a safe location that is readily accessible to the school nurse or
32 designated school personnel; and

33 (B) in accordance with manufacturer temperature recommendations;

34 (2) periodic monitoring of the inventory and expiration dates of
35 emergency medication;

36 (3) administration of emergency medication by designated school
37 personnel; and

38 (4) training requirements for designated school personnel, which
39 shall be conducted on not less than on an annual basis for such designated
40 school personnel. Such training shall include, but not be limited to, the
41 following:

42 (A) Recognition of the symptoms of anaphylaxis and respiratory
43 distress;

by a school nurse, physician or mid-level practitioner
