

HOUSE RESEARCH

Bill Summary

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Subject: Epinephrine auto-injector authorization

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Overview

This bill allows certain entities to obtain, store, and either administer or provide epinephrine auto-injectors to persons believed to be experiencing anaphylaxis. The bill provides for, among other things, training requirements for employees or agents of authorized entities and civil protections.

Section

1 Life-saving allergy medication. Adds § 144.999.

Subd. 1. Definitions. Defines terms, including “authorized entity.” Authorized entity includes recreation camps, colleges and universities, preschools and daycares, and any other entity or organization approved by the commissioner of health.

Subd. 2. Commissioner duties. Allows the commissioner to identify additional entities or organizations where individuals may come in contact with allergens capable of causing anaphylaxis.

Subd. 3. Obtaining and storing epinephrine auto-injectors. Allows authorized entities to be obtain, possess, and use epinephrine auto-injectors. Requires the auto-injectors to be stored in a specific manner and obtained from a pharmacy or manufacturer after an authorized person of the entity shows certification of having completed training. Allows administration of epinephrine if, in good faith, it is believed the individual is experiencing anaphylaxis, even if that individual does not have a prescription.

Subd. 4. Use of epinephrine auto-injectors. (a) Allows an employee or agent of an authorized entity who has received the required training under subdivision 5 to use

Section

epinephrine auto-injectors to: (1) provide an auto-injector to an individual or parent, guardian, or caregiver of an individual, if the employee or agent believes, in good faith, the individual is experiencing anaphylaxis; or (2) administer an auto-injector to an individual the employee or agent believes, in good faith, is experiencing anaphylaxis. An employee or agent can provide or administer the auto-injector under this section regardless of if the person has a prescription or has a previous diagnosis of an allergy.

(b) States that this section does not require any authorized entity to maintain a stock of epinephrine auto-injectors.

Subd. 5. Training. (a) Requires an employee or agent of an authorized entity to complete a training program that is either nationally recognized or has been approved by the commissioner. The training must include how to recognize signs and symptoms of allergic reactions, standards and procedures for storage and administration or auto-injectors, and emergency follow-up procedures.

(b) Requires the training entity to issue a certificate to a person who successfully completes the training.

Subd. 6. Good Samaritan protections. States that an authorized entity that possesses and makes available auto-injectors and its employees, a pharmacy, or a manufacturer that dispenses auto-injectors to an authorized entity, or a training entity, is not liable for any injuries or related damages that result from any act or omission taken under this section. The immunity does not apply to acts or omissions that constitute gross, willful, or wanton negligence. Also states this section does not eliminate, limit, or reduce any other immunity or defense available under state law.