

2 **SB 5835** - S AMD 049

3 By Senators Finkbeiner, McAuliffe, Honeyford and Thibaudeau

4 ADOPTED 03/10/01

5 On page 2, after line 5, insert the following:

6 "NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.210  
7 RCW to read as follows:

8 Public school districts may provide for the administration of  
9 epinephrine to students who suffer an anaphylaxis allergic reaction  
10 when the students are in the custody of the school district, pursuant  
11 to chapter 18.79 RCW, if the epinephrine is provided in compliance  
12 with:

13 (1) Rules adopted under section 4 of this act by the state  
14 nursing care quality assurance commission, and the instructions of  
15 a registered nurse or advanced registered nurse practitioner  
16 issued under the rules; and

17 (2) Written policies of the school district that are adopted to  
18 implement this section and are developed in accordance with  
19 chapters 41.56 and 41.59 RCW.

20 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.210  
21 RCW to read as follows:

22 (1) If a school employee provides for the administration of  
23 epinephrine to a student under chapter 18.79 RCW and this chapter in  
24 substantial compliance with: (a) Rules adopted by the state nursing  
25 care quality assurance commission and the instructions of a  
26 registered nurse or advanced registered nurse practitioner issued  
27 under such rules, and (b) written policies of the school district,  
28 then the employee, the employee's school district and school of  
29 employment shall not be liable in any criminal action or for civil  
30 damages in their individual, marital, governmental, corporate, or  
31 other capacity as a result of providing epinephrine.

32 (2) To be eligible to administer epinephrine, an employee not  
33 licensed under chapter 18.79 RCW, shall file, without coercion by  
34 the employer, a voluntary written, current, and unexpired letter

1 Of intent stating the employee's willingness to administer  
2 epinephrine in compliance with established guidelines. If a public  
3 school employee who is not licensed under chapter 18.79 RCW  
4 chooses not to file a letter under this section, the employee  
5 shall not be subject to any employer reprisal or disciplinary  
6 action for refusing to file a letter.

7 NEW SECTION. **Sec. 4.** A new section is added to chapter 18.79  
8 RCW to read as follows:

9 (1) In accordance with the rules adopted by the commission,  
10 public school districts may provide for the administration of  
11 epinephrine to students suffering an anaphylaxis allergic reaction when  
12 the students are in the custody of the school district.

13 (2) After consultation with staff of the superintendent of  
14 public instruction, the commission shall adopt rules in accordance  
15 with chapter 34.05 RCW, that provide for the following and such  
16 other matters as the commission deems necessary to the proper  
17 implementation of this section:

18 (a) A requirement for a written, current, and unexpired request  
19 from a parent, legal guardian, or other person having legal  
20 control over the student that the school district provide for the  
21 administration of epinephrine to the student;

22 (b) A requirement for a written, current, and unexpired request  
23 from a physician licensed under chapter 18.71 or 18.57 RCW that  
24 administering epinephrine to a student be provided for during the  
25 hours when school is in session or the hours when the student is  
26 under the supervision of school officials;

27 (c) A requirement for written, current, and unexpired  
28 instructions from an advanced registered nurse practitioner or a  
29 registered nurse licensed under this chapter regarding  
30 administration of epinephrine that include: (i) A designation of the  
31 school district employee or employees who may administer the  
32 epinephrine, and (ii) a description of the nature and extent of any  
33 required supervision; and

34 (d) The nature and extent of acceptable training that shall:  
35 (i) Be provided by a physician, advanced registered nurse  
36 practitioner, or registered nurse licensed under chapter 18.71 or  
37 18.57 RCW, or this chapter, and (ii) be required of school  
38 district employees who administer the epinephrine to the student

1 under this section, except that a licensed practical nurse  
2 licensed under this chapter is exempt from training."

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5 ADOPTED 03/10/01

6 On page 1, line 1, of the title after "epinephrine;" strike all  
7 material through "RCW 18.73.250" insert the following:

8 "amending RCW 18.73.250, adding a new section to chapter 18.79 RCW, and  
9 adding new sections to chapter 28A.210 RCW."

« END »

**EFFECT:** Allows public school districts to provide for the administration of epinephrine to students by school employees in compliance with rules and policies, provides immunity to employees who administer epinephrine to students in compliance with rules and policies, and protects employees against employer reprisal when an employee refuses to agree to administer epinephrine.