
ENGROSSED SENATE BILL 5835

State of Washington

57th Legislature

2001 Regular Session

By Senators Finkbeiner, Thibaudeau, Winsley, McAuliffe, Costa, Honeyford, McCaslin, Kohl-Welles, Prentice, Kline, Benton and Oke

Read first time 02/05/2001. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to the emergency administration of epinephrine;
2 amending RCW 18.73.250; adding new sections to chapter 28A.210 RCW; and
3 adding a new section to chapter 18.79 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 18.73.250 and 1999 c 337 s 4 are each amended to read
6 as follows:

7 (1) All of the state's ambulance and aid services shall make
8 epinephrine available to their emergency medical technicians in their
9 emergency care supplies. The emergency medical technician may
10 administer epinephrine to a patient of any age upon the presentation of
11 evidence of a prescription for epinephrine or to a patient under
12 eighteen years of age:

13 (a) Upon the request of the patient or his or her parent or
14 guardian; or

15 (b) Upon the request of a person who presents written authorization
16 from the patient or his or her parent or guardian making such a
17 request.

18 (2) Any emergency medical technician, emergency medical service, or
19 medical program director acting in good faith and in compliance with

1 the provisions of this section shall not be liable for any civil
2 damages arising out of the furnishing or administration of epinephrine.

3 (3) Nothing in this section authorizes the administration of
4 epinephrine by a first responder.

5 (~~(4) This section shall expire December 31, 2001.~~)

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 nursing
14 care quality assurance commission, and the instructions of a registered
15 nurse or advanced registered nurse practitioner issued under the rules;
16 and

17 (2) Written policies of the school district that are adopted to
18 implement this section and are developed in accordance with chapters
19 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 registered
26 nurse or advanced registered nurse practitioner issued under such
27 rules, and (b) written policies of the school district, then the
28 employee, the employee's school district and school of employment shall
29 not be liable in any criminal action or for civil damages in their
30 individual, marital, governmental, corporate, or other capacity as a
31 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 the
34 employer, a voluntary written, current, and unexpired letter of intent
35 stating the employee's willingness to administer epinephrine in
36 compliance with established guidelines. If a public school employee
37 who is not licensed under chapter 18.79 RCW chooses not to file a

1 letter under this section, the employee shall not be subject to any
2 employer reprisal or disciplinary action for refusing to file a letter.

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

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

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

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

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

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

29 (d) The nature and extent of acceptable training that shall: (i)
30 Be provided by a physician, advanced registered nurse practitioner, or
31 registered nurse licensed under chapter 18.71 or 18.57 RCW, or this
32 chapter, and (ii) be required of school district employees who
33 administer the epinephrine to the student under this section, except
34 that a licensed practical nurse licensed under this chapter is exempt
35 from training.

--- END ---