

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6421

Chapter 10, Laws of 2016

64th Legislature
2016 Regular Session

EPINEPHRINE AUTOINJECTORS--PRESCRIBING TO CERTAIN ENTITIES

EFFECTIVE DATE: 6/9/2016

Passed by the Senate February 15, 2016
Yeas 48 Nays 0

BRAD OWEN

President of the Senate

Passed by the House March 2, 2016
Yeas 96 Nays 1

FRANK CHOPP

Speaker of the House of Representatives

Approved March 10, 2016 10:00 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6421** as passed by Senate and the House of Representatives on the dates hereon set forth.

HUNTER G. GOODMAN

Secretary

FILED

March 11, 2016

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6421

Passed Legislature - 2016 Regular Session

State of Washington

64th Legislature

2016 Regular Session

By Senate Health Care (originally sponsored by Senators Ranker, Becker, McAuliffe, and Mullet)

READ FIRST TIME 02/05/16.

1 AN ACT Relating to authorized health care providers prescribing
2 epinephrine autoinjectors in the name of authorized entities; and
3 adding a new section to chapter 70.54 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.54
6 RCW to read as follows:

7 (1) An authorized health care provider may prescribe epinephrine
8 autoinjectors in the name of an authorized entity for use in
9 accordance with this section, and pharmacists, advanced registered
10 nurse practitioners, and physicians may dispense epinephrine
11 autoinjectors pursuant to a prescription issued in the name of an
12 authorized entity.

13 (2) An authorized entity may acquire and stock a supply of
14 epinephrine autoinjectors pursuant to a prescription issued in
15 accordance with this section. The epinephrine autoinjectors must be
16 stored in a location readily accessible in an emergency and in
17 accordance with the epinephrine autoinjector's instructions for use
18 and any additional requirements that may be established by the
19 department of health. An authorized entity shall designate employees
20 or agents who have completed the training required by subsection (4)
21 of this section to be responsible for the storage, maintenance, and

1 general oversight of epinephrine autoinjectors acquired by the
2 authorized entity.

3 (3) An employee or agent of an authorized entity, or other
4 individual, who has completed the training required by subsection (4)
5 of this section may, on the premises of or in connection with the
6 authorized entity, use epinephrine autoinjectors prescribed pursuant
7 to subsection (1) of this section to:

8 (a) Provide an epinephrine autoinjector to any individual who the
9 employee, agent, or other individual believes in good faith is
10 experiencing anaphylaxis for immediate self-administration,
11 regardless of whether the individual has a prescription for an
12 epinephrine autoinjector or has previously been diagnosed with an
13 allergy.

14 (b) Administer an epinephrine autoinjector to any individual who
15 the employee, agent, or other individual believes in good faith is
16 experiencing anaphylaxis, regardless of whether the individual has a
17 prescription for an epinephrine autoinjector or has previously been
18 diagnosed with an allergy.

19 (4)(a) An employee, agent, or other individual described in
20 subsection (3) of this section must complete an anaphylaxis training
21 program prior to providing or administering an epinephrine
22 autoinjector made available by an authorized entity. The training
23 must be conducted by a nationally recognized organization experienced
24 in training laypersons in emergency health treatment or an entity or
25 individual approved by the department of health. Training may be
26 conducted online or in person and, at a minimum, must cover:

27 (i) Techniques on how to recognize symptoms of severe allergic
28 reactions, including anaphylaxis;

29 (ii) Standards and procedures for the storage and administration
30 of an epinephrine autoinjector; and

31 (iii) Emergency follow-up procedures.

32 (b) The entity that conducts the training shall issue a
33 certificate, on a form developed or approved by the department of
34 health, to each person who successfully completes the anaphylaxis
35 training program.

36 (5) An authorized entity that possesses and makes available
37 epinephrine autoinjectors and its employees, agents, and other
38 trained individuals; an authorized health care provider that
39 prescribes epinephrine autoinjectors to an authorized entity; and an
40 individual or entity that conducts the training described in

1 subsection (4) of this section is not liable for any injuries or
2 related damages that result from the administration or self-
3 administration of an epinephrine autoinjector, the failure to
4 administer an epinephrine autoinjector, or any other act or omission
5 taken pursuant to this section: PROVIDED, However, this immunity does
6 not apply to acts or omissions constituting gross negligence or
7 willful or wanton misconduct. The administration of an epinephrine
8 autoinjector in accordance with this section is not the practice of
9 medicine. This section does not eliminate, limit, or reduce any other
10 immunity or defense that may be available under state law, including
11 that provided under RCW 4.24.300. An entity located in this state is
12 not liable for any injuries or related damages that result from the
13 provision or administration of an epinephrine autoinjector by its
14 employees or agents outside of this state if the entity or its
15 employee or agent (a) would not have been liable for the injuries or
16 related damages had the provision or administration occurred within
17 this state, or (b) are not liable for the injuries or related damages
18 under the law of the state in which the provision or administration
19 occurred.

20 (6) An authorized entity that possesses and makes available
21 epinephrine autoinjectors shall submit to the department of health,
22 on a form developed by the department of health, a report of each
23 incident on the authorized entity's premises that involves the
24 administration of the authorized entity's epinephrine autoinjector.
25 The department of health shall annually publish a report that
26 summarizes and analyzes all reports submitted to it under this
27 subsection.

28 (7) As used in this section:

29 (a) "Administer" means the direct application of an epinephrine
30 autoinjector to the body of an individual.

31 (b) "Authorized entity" means any entity or organization at or in
32 connection with which allergens capable of causing anaphylaxis may be
33 present, including, but not limited to, restaurants, recreation
34 camps, youth sports leagues, amusement parks, colleges, universities,
35 and sports arenas.

36 (c) "Authorized health care provider" means an individual allowed
37 by law to prescribe and administer prescription drugs in the course
38 of professional practice.

1 (d) "Epinephrine autoinjector" means a single-use device used for
2 the automatic injection of a premeasured dose of epinephrine into the
3 human body.

4 (e) "Provide" means the supply of one or more epinephrine
5 autoinjectors to an individual.

6 (f) "Self-administration" means a person's discretionary use of
7 an epinephrine autoinjector.

Passed by the Senate February 15, 2016.

Passed by the House March 2, 2016.

Approved by the Governor March 10, 2016.

Filed in Office of Secretary of State March 11, 2016.