

# SENATE BILL REPORT

## ESHB 1608

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As of February 14, 2024

**Title:** An act relating to expanding access to anaphylaxis medications in schools.

**Brief Description:** Expanding access to anaphylaxis medications in schools.

**Sponsors:** House Committee on Education (originally sponsored by Representatives Bronoske, Simmons, Duerr, Ramel, Wylie, Paul, Jacobsen, Macri, Kloba, Leavitt and Reed).

**Brief History:** Passed House: 1/25/24, 93-0.

**Committee Activity:** Early Learning & K-12 Education: 2/15/24.

### Brief Summary of Bill

- Requires the Secretary of Health or designee to issue a statewide standing order prescribing epinephrine and epinephrine autoinjectors to any school district or school for use by a school nurse or other trained school personnel for any student or individual experiencing anaphylaxis.
- Amends requirements related to school supplies of autoinjectors to also include epinephrine and to reference the statewide standing order.

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Staff:** Ailey Kato (786-7434)

**Background:** Guidelines for Care of Students With Anaphylaxis. In 2009 the Office of the Superintendent of Public Instruction (OSPI) was directed to develop anaphylactic policy guidelines for schools to prevent anaphylaxis and deal with medical emergencies resulting from it. These guidelines were updated in 2021.

According to the guidelines, some allergens such as food, medication, insect stings, and latex can trigger a severe, systemic allergic reaction called anaphylaxis. Anaphylaxis is a

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life-threatening allergic reaction. Epinephrine is the only life-saving medication and must be given immediately to avoid death.

Standing Orders. Standing orders are instructions from a prescriber or qualified health care professional for patients to receive tests, vaccines, clinical services, or procedures without an individual prescription. In 2019 the Legislature granted authority for the Secretary of Health to issue standing orders for individuals at risk of opioid overdose to receive opioid reversal medication. During the COVID-19 pandemic, the Secretary of Health issued standing orders for vaccines, testing, and epinephrine autoinjectors (autoinjectors), under now expired federal authority.

State law allows a licensed health professional with the authority to prescribe autoinjectors to prescribe them in the name of a school district or school to be maintained for use when necessary. State law requires epinephrine prescriptions to be accompanied by a standing order for the administration of school-supplied, undesignated autoinjectors.

School Supply of Epinephrine Autoinjectors. School districts and nonpublic schools may maintain a supply of autoinjectors at school based on the number of enrolled students.

When a student has a prescription on file, the school nurse or designated trained school personnel may utilize the school district or school supply of autoinjectors to respond to an anaphylactic reaction under a standing protocol.

When a student does not have an autoinjector or prescription on file, only the school nurse may utilize the school district supply or school supply of autoinjectors under a standing protocol.

**Summary of Bill:** Standing Orders. The Secretary of Health or designee must issue a statewide standing order prescribing epinephrine and autoinjectors to any school district or school for use by a school nurse or other designated trained school personnel for any student or individual experiencing anaphylaxis on school property, a school bus, a field trip, or designated school activity. The standing order must be consistent with the exercise of sound professional judgment.

Current law is amended to allow the standing order that must accompany epinephrine prescriptions to be the statewide standing order in addition to a standing order issued in accordance with current state law.

School Supply of Epinephrine and Autoinjectors. School districts and nonpublic schools may maintain a supply of epinephrine at school, in addition to autoinjectors, based on the number of enrolled students.

When a student has a prescription for an autoinjector on file, only the school nurse may utilize the school district or school supply of epinephrine to respond to an anaphylactic

reaction under a standing protocol.

When a student does not have an autoinjector or prescription on file, the school nurse may utilize the school district supply or school supply of epinephrine or autoinjectors under a standing protocol.

Liability protections are extended to a school nurse or other school employee that administers epinephrine under the statewide standing order.

Language regarding a report due in 2013 is removed.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.