
Education Committee

HB 2360

Brief Description: Expanding access to albuterol in public and private schools.

Sponsors: Representatives Donaghy, Reed, Engell, Bronoske, Zahn, Thomas, Ormsby, Fosse, Salahuddin, Hill and Pollet.

Brief Summary of Bill

- Requires that a statewide standing order be issued to any school or school district prescribing albuterol for individuals experiencing asthma or other respiratory symptoms.
- Authorizes public and private schools to maintain and administer school-supplied albuterol in accordance with specified requirements.

Hearing Date: 1/19/26

Staff: Megan Wargacki (786-7194).

Background:

Asthma Management in Schools. School districts must adopt policies governing asthma rescue procedures for students. The Office of the Superintendent of Public Instruction and the Department of Health must develop a uniform policy addressing training requirements for school staff on symptoms, treatment, and monitoring of students with asthma.

A school district must permit a student with asthma to self-administer prescribed asthma medication at school and at school-sponsored activities when certain conditions are met. If a parent or guardian provides backup asthma medication, the school must store the medication in a location that the student has immediate access to during an emergency.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Medication Standing Orders. The Secretary of the Department of Health (Secretary), or the Secretary's designee, has general authority to issue a prescription or standing order for a drug or device to treat any noninfectious disease or threat to the public health. The Secretary or designee may impose limitations on the use of any such prescription or standing order and should include appropriate recommendations for follow-up care.

The Secretary or designee also has specific authority to issue a statewide standing order prescribing epinephrine to any school district or school. This standing order is to authorize a school nurse or other designated trained school personnel to administer epinephrine to any individual experiencing anaphylaxis on school property, on a school bus, during a field trip, or at a designated school activity.

Summary of Bill:

School Use of Albuterol. Beginning with the 2027-28 school year, public and private schools may maintain a supply of albuterol aerosol, powder, or solution for use in an inhaler or nebulizer (school-supplied albuterol) in a designated location on school property. School-supplied albuterol prescriptions must be accompanied by a standing order authorizing its administration for the management of respiratory symptoms, including breathing difficulties caused by conditions such as asthma.

School-supplied albuterol must be accessed and administered in accordance with the uniform procedure for the management of respiratory symptoms as follows:

- a. If the student has a prescription for albuterol on file, a school nurse or designated trained school personnel may administer school-supplied albuterol.
- b. If the student does not have albuterol or a prescription for albuterol on file, only a school nurse may administer school-supplied albuterol.

School-supplied albuterol may be maintained, accessed, and administered: on public and private school property, including the school building and playground; on a school bus; and during field trips or sanctioned excursions away from school property. A school nurse or designated trained school personnel may transport and carry a reasonable quantity of school-supplied albuterol on field trips or excursions.

Statewide Standing Order and Uniform Procedure. The Secretary of the Department of Health (Secretary), or the Secretary's designee, must issue a statewide standing order to any school to obtain and maintain school-supplied albuterol for administration by a school nurse or other designated trained school personnel on school property, a school bus, a field trip, or a designated school activity for any student or individual experiencing respiratory symptoms.

By January 1, 2027, the Office of the Superintendent of Public Instruction and the Department of Health must include, within the uniform policy addressing school staff training requirements, a uniform procedure governing when school nurses and designated trained school personnel access and administer the school-supplied albuterol.

If a school district or public school elects to maintain school-supplied albuterol, it must incorporate the uniform procedure into its policies governing asthma rescue procedures for students.

Employee Opt-Out. A non-nurse employee who has not agreed in writing to albuterol administration as a specific part of the employee's job description may file with the school district or public school a written letter of refusal to use albuterol. The letter of refusal may not serve as grounds for discharge or other adverse action affecting the employee's contract status.

Liability Protections. If a student is injured or harmed due to the administration of albuterol that was lawfully prescribed and dispensed, a licensed health professional may not be held responsible for the injury unless the prescription was issued with a conscious disregard for safety.

A school employee or contractor who administers albuterol in substantial compliance with a lawful albuterol prescription or standing order and written school policies is subject to limited civil and criminal liability. The same limitation applies to the individual's employing school or school district.

Appropriation: None.

Fiscal Note: Requested on January 14, 2026.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.