
SUBSTITUTE HOUSE BILL 2360

State of Washington

69th Legislature

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By House Education (originally sponsored by Representatives Donaghy, Reed, Engell, Bronoske, Zahn, Thomas, Ormsby, Fosse, Salahuddin, Hill, and Pollet)

READ FIRST TIME 02/04/26.

1 AN ACT Relating to expanding access to albuterol in public and
2 private schools; amending RCW 28A.210.370; and adding a new section
3 to chapter 28A.210 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 28A.210
6 RCW to read as follows:

7 (1)(a) Beginning in the 2027-28 school year, school districts and
8 private schools are authorized to maintain a supply of albuterol at
9 each school in a designated location.

10 (b) Albuterol may be acquired from donation sources, but it must
11 be accompanied by a prescription.

12 (2)(a) A licensed health professional with the authority to
13 prescribe albuterol including, but not limited to, the secretary of
14 health or the secretary's designee in accordance with RCW 43.70.183,
15 may prescribe albuterol in the name of the school district or school
16 to be maintained for use when necessary. Albuterol prescriptions must
17 be accompanied by a standing order, issued in accordance with this
18 section or RCW 43.70.183, authorizing the administration of school or
19 school district-supplied, undesignated albuterol for the management
20 of respiratory symptoms, including breathing difficulties caused by
21 conditions such as asthma.

1 (b) Nothing in this section changes current prescription or self-
2 administration practices for children with existing albuterol
3 prescriptions under RCW 28A.210.370.

4 (3) Albuterol from the school or school district supply
5 authorized under this section must be accessed and administered in
6 accordance with the uniform procedure under RCW 28A.210.370 for the
7 management of a student's respiratory symptoms, including breathing
8 difficulties caused by conditions such as asthma, as follows:

9 (a) If the student has a prescription for albuterol on file, a
10 school nurse or designated trained school personnel may administer
11 albuterol; or

12 (b) If the student does not possess albuterol or have a
13 prescription for albuterol on file, only a school nurse may
14 administer albuterol.

15 (4) Albuterol may be maintained, accessed, and administered on
16 private school or school district property, including the school
17 building, playground, and school bus, as well as during field trips
18 or sanctioned excursions away from school property. The school nurse
19 or designated trained school personnel may transport and carry a
20 reasonable quantity of the school or school district supply of
21 albuterol on field trips or excursions.

22 (5)(a) If a student is injured or harmed due to the
23 administration of albuterol that a licensed health professional with
24 prescribing authority has prescribed and a pharmacist has dispensed
25 to a school or school district under this section or in accordance
26 with RCW 43.70.183, the licensed health professional with prescribing
27 authority and pharmacist may not be held responsible for the injury
28 unless the prescription was issued with a conscious disregard for
29 safety.

30 (b) In the event a school nurse or other school employee or
31 contractor administers albuterol in substantial compliance with a
32 student's prescription that has been prescribed by a licensed health
33 professional within the scope of the professional's prescriptive
34 authority or by statewide standing order in accordance with RCW
35 43.70.183, if applicable, and written policies of the school district
36 or private school, then the school personnel, the school personnel's
37 school district or school of employment, and the members of the
38 governing board and chief administrator thereof are not liable in any
39 criminal action or for civil damages in their individual, marital,

1 governmental, corporate, or other capacity as a result of providing
2 the albuterol.

3 (c) School employees, except those licensed under chapter 18.79
4 RCW, who have not agreed in writing to include the management of
5 albuterol as a specific part of their job description, may file with
6 the school district a written letter of refusal declining to manage
7 albuterol. This written letter of refusal may not serve as grounds
8 for discharge, nonrenewal of an employment contract, or other action
9 adversely affecting the employee's contract status. For the purposes
10 of this subsection, "management of albuterol" means the storage,
11 maintenance, access, administration, documentation, and
12 transportation of albuterol in accordance with: A standing order
13 issued in accordance with this section or RCW 43.70.183; and
14 applicable written policies of the school district.

15 (6) As used in this section, "albuterol" means albuterol aerosol,
16 powder, or solution for use in an inhaler or nebulizer.

17 (7) This section governs school operation and management under
18 RCW 28A.710.040 and 28A.715.020 and applies to charter schools
19 established under chapter 28A.710 RCW and state-tribal education
20 compact schools subject to chapter 28A.715 RCW to the same extent as
21 it applies to school districts.

22 **Sec. 2.** RCW 28A.210.370 and 2005 c 462 s 2 are each amended to
23 read as follows:

24 (1) The superintendent of public instruction and the secretary of
25 the department of health shall develop a uniform policy for all
26 school districts providing for the in-service training for school
27 staff on symptoms, treatment, and monitoring of students with asthma
28 and on the additional observations that may be needed in different
29 situations that may arise during the school day and during school-
30 sponsored events. The policy shall include the standards and skills
31 that must be in place for in-service training of school staff.

32 (2) By January 1, 2027, the superintendent of public instruction
33 and the secretary of the department of health shall update the
34 uniform policy developed under subsection (1) of this section to
35 include a uniform procedure for when school nurses and designated
36 trained school personnel access and administer the school or school
37 district supply of albuterol as authorized under section 1 of this
38 act for the management of a student's respiratory symptoms, including
39 breathing difficulties caused by conditions such as asthma.

1 (3)(a) All school districts shall adopt policies regarding asthma
2 rescue procedures for each school within the district.

3 ~~((3))~~ (b) School districts may adopt policies regarding the use
4 of albuterol from a school or school district supply authorized under
5 section 1 of this act. If a school district chooses to adopt a policy
6 under this subsection, it must include the uniform procedure
7 developed under subsection (2) of this section.

8 (4) All school districts must require that each public elementary
9 school and secondary school grant to any student in the school
10 authorization for the self-administration of medication to treat that
11 student's asthma or anaphylaxis, if:

12 (a) A health care practitioner prescribed the medication for use
13 by the student during school hours and instructed the student in the
14 correct and responsible use of the medication;

15 (b) The student has demonstrated to the health care practitioner,
16 or the practitioner's designee, and a professional registered nurse
17 at the school, the skill level necessary to use the medication and
18 any device that is necessary to administer the medication as
19 prescribed;

20 (c) The health care practitioner formulates a written treatment
21 plan for managing asthma or anaphylaxis episodes of the student and
22 for medication use by the student during school hours; and

23 (d) The student's parent or guardian has completed and submitted
24 to the school any written documentation required by the school,
25 including the treatment plan formulated under (c) of this subsection
26 and other documents related to liability.

27 ~~((4))~~ (5) An authorization granted under subsection ~~((3))~~ (4)
28 of this section must allow the student involved to possess and use
29 his or her medication:

30 (a) While in school;

31 (b) While at a school-sponsored activity, such as a sporting
32 event; and

33 (c) In transit to or from school or school-sponsored activities.

34 ~~((5))~~ (6) An authorization granted under subsection ~~((3))~~ (4)
35 of this section:

36 (a) Must be effective only for the same school and school year
37 for which it is granted; and

38 (b) Must be renewed by the parent or guardian each subsequent
39 school year in accordance with this subsection.

1 ~~((6))~~ (7) School districts must require that backup medication,
2 if provided by a student's parent or guardian, be kept at a student's
3 school in a location to which the student has immediate access in the
4 event of an asthma or anaphylaxis emergency.

5 ~~((7))~~ (8) School districts must require that information
6 described in subsection ~~((3))~~ (4)(c) and (d) of this section be
7 kept on file at the student's school in a location easily accessible
8 in the event of an asthma or anaphylaxis emergency.

9 ~~((8))~~ (9) For the purposes of this section, "albuterol" has the
10 same meaning as in section 1 of this act.

11 (10) Nothing in this section creates a cause of action or in any
12 other way increases or diminishes the liability of any person under
13 any other law.

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