CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2360

Chapter 197, Laws of 2026

69th Legislature
2026 Regular Session

SCHOOLS—ALBUTEROL ACCESS

EFFECTIVE DATE: June 11, 2026

Passed by the House March 9, 2026
Yeas 79 Nays 16

LAURIE JINKINS

Speaker of the House of Representatives

Passed by the Senate February 28, 2026
Yeas 48 Nays 0

DENNY HECK

President of the Senate

Approved March 24, 2026 1:46 PM

BOB FERGUSON

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2360** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

March 25, 2026

Secretary of State
State of Washington

SUBSTITUTE HOUSE BILL 2360

AS AMENDED BY THE SENATE

Passed Legislature - 2026 Regular Session

State of Washington 69th Legislature 2026 Regular Session

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.

AN ACT Relating to expanding access to albuterol in public and private schools; amending RCW 28A.210.370; and adding a new section to chapter 28A.210 RCW.

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

NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.210 RCW to read as follows:

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

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

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

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

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

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

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

(4) A school must immediately notify a student's parent or guardian when a student is administered albuterol under this section or when a student self-administers albuterol under RCW 28A.210.370 and the school has knowledge of this self-administration.

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

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

(b) In the event a school nurse or other school employee or contractor administers albuterol in substantial compliance with a student's prescription that has been prescribed by a licensed health professional within the scope of the professional's prescriptive authority or by statewide standing order in accordance with RCW 43.70.183, if applicable, and written policies of the school district or private school, then the school personnel, the school personnel's

school district or school of employment, and the members of the governing board and chief administrator thereof are not liable in any criminal action or for civil damages in their individual, marital, governmental, corporate, or other capacity as a result of providing the albuterol.

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

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

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

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

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

(2) By January 1, 2027, the superintendent of public instruction and the secretary of the department of health shall update the uniform policy developed under subsection (1) of this section to include a uniform procedure for when school nurses and designated trained school personnel access and administer the school or school

district supply of albuterol as authorized under section 1 of this act for the management of a student's respiratory symptoms, including breathing difficulties caused by conditions such as asthma.

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

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

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

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

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

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

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

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

(a) While in school;

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

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

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

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

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

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

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

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

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

Passed by the House March 9, 2026.
Passed by the Senate February 28, 2026.
Approved by the Governor March 24, 2026.
Filed in Office of Secretary of State March 25, 2026.

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