



SENATE OF PENNSYLVANIA BILL SUMMARY

House Bill 126 Printer's No. 92

Prime Sponsor: Representative Baker
Committee: Health and Human Services

SYNOPSIS:

Enacts the Epinephrine Auto-Injector Entity Act which allows for the prescription to, storage and administration of epinephrine auto-injectors by, certain entities where allergens capable of causing anaphylaxis may be present.

SUMMARY:

Enacts the Epinephrine Auto-Injector Entity Act (the "Act"). The Act governs any entity considered to be an "authorized entity." An authorized entity is defined as an entity or organization (other than a school entity or a nonpublic school) which has an employee or agent who has completed the required training and at which allergens capable of causing anaphylaxis may be present. Examples of authorized entities include:

- Recreation camps
- Colleges
- Day-care facilities
- Youth sports leagues
- Amusement parks
- Restaurants
- Places of employment
- Sports arena

A health care practitioner (defined by the Act) with prescriptive authority may prescribe, and pharmacists and health care practitioners may dispense, epinephrine auto-injectors to authorized entities.

Authorized entities may acquire, stock and store epinephrine auto-injectors prescribed to it under the Act. Storage must be in a location readily accessible in case of emergency, and must be stored in accordance with instructions and Department of Health requirements. The individual responsible for the storage, maintenance, control and general oversight of the epinephrine auto-injectors must be trained in accordance with the Act.

An employee or agent of an authorized entity who has been trained in accordance with the Act may either provide or administer an epinephrine auto-injector to any person whom the employee or agent believes, in good faith, is experiencing anaphylaxis.

An employee of an authorized entity is required to complete an anaphylaxis training program as required by the Department of Health. This training will be conducted by a nationally recognized organization experienced in training laypersons in emergency health treatment or an entity approved by the Department of Health.

Training may be conducted online or in person and, at a minimum, will cover:

- How to recognize signs and symptoms of severe allergic reactions, including anaphylaxis
- Standards and procedures for the storage and administration of an epinephrine auto-injector
- Emergency follow-up procedures.

The entity that conducts the training will be required to issue a certification, on a form developed or approved by the Department of Health, to each individual who successfully completes the training program.

The following will not be liable for any injuries or related damages that result from any act or omission taken pursuant to this act:

- An authorized entity and its employees that possess and make available epinephrine auto-injectors
- A health care practitioner that prescribes and dispenses, and a pharmacist that dispenses, epinephrine auto-injectors to an authorized entity
- An individual or entity that conducts the required training program

The immunity provided by the Act will not apply to acts or omission constituting intentional misconduct or gross negligence.

The provisions of Title 42 § 8332 (relating to emergency response provider and bystander Good Samaritan civil immunity) apply to individuals who administer an epinephrine auto-injectors.

Effective Date: 60 days

BILL HISTORY:

In the House:

Referred to HEALTH, Jan. 23, 2017

Reported as committed, Feb. 8, 2017

First consideration, Feb. 8, 2017

Laid on the table, Feb. 8, 2017

Removed from table, March 20, 2017

Page 2 of 3

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Second consideration, March 21, 2017
Re-committed to APPROPRIATIONS, March 21, 2017
Re-reported as committed, March 22, 2017
Third consideration and final passage, March 22, 2017 (191-0)

In the Senate:
Referred to HEALTH AND HUMAN SERVICES, March 24, 2017

Prepared by: Cortez 6/8/2017