

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

SENATE BILL NO. 733

BY: BROWN

AS INTRODUCED

AN ACT RELATING TO PUBLIC HEALTH AND SAFETY; CREATING THE INSECT STING EMERGENCY TREATMENT ACT; STATING SHORT TITLE; STATING PURPOSE; AUTHORIZING THE STATE DEPARTMENT OF HEALTH TO PERFORM CERTAIN FUNCTIONS AND DUTIES; PROVIDING FOR EDUCATIONAL TRAINING PROGRAMS AND CURRICULUM; ESTABLISHING ELIGIBILITY REQUIREMENTS FOR RECEIVING A CERTIFICATE; PROVIDING FOR APPLICATION FOR CERTIFICATE; AUTHORIZING CERTIFICATE HOLDERS TO RECEIVE, POSSESS AND ADMINISTER CERTAIN PRESCRIBED DRUG TO CERTAIN PERSONS; PROVIDING FOR IMMUNITY FOR CERTAIN PERSONS; PROVIDING FOR CODIFICATION; AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-316.1 of Title 63, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Insect Sting Emergency Treatment Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-316.2 of Title 63, unless there is created a duplication in numbering, reads as follows:

The purpose of this act shall be to provide a means of authorizing certain individuals, when a physician is not immediately available, to administer life-saving treatment to those persons who have severe adverse reactions to insect stings.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-316.3 of Title 63, unless there is created a duplication in numbering, reads as follows:

The State Department of Health is hereby authorized to perform the following functions and duties:

1. To promulgate rules necessary for the administration of this act;
2. To conduct educational training programs as described in Section 4 of this act, and to approve such programs conducted by other governmental agencies or private entities;
3. To issue and to renew certificates of training to those persons who have complied with this act and the rules promulgated hereunder; and
4. To collect fees necessary for the administration of this act.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-316.4 of Title 63, unless there is created a duplication in numbering, reads as follows:

Educational training programs required by this act shall be conducted by a physician licensed to practice medicine in this state. The curriculum shall minimally include the following subjects:

1. Recognition of the symptoms of systemic reactions to insect stings; and

2. The proper administration of a subcutaneous injection of epinephrine.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-316.5 of Title 63, unless there is created a duplication in numbering, reads as follows:

Persons eligible to receive a certificate pursuant to this act shall meet the following requirements:

1. Be eighteen (18) years of age or older;
2. Have, or reasonably expect to have, responsibility for at least one other person as a result of one's occupational or volunteer status, such as camp counselors, scout leaders, school teachers, forest rangers, tour guides or chaperones; and
3. Have successfully completed an educational training program as described in Section 4 of this act.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-316.6 of Title 63, unless there is created a duplication in numbering, reads as follows:

Persons meeting the requirements of Section 5 of this act shall be entitled to a certificate pursuant to this act upon payment of an application fee of not more than Twenty-five Dollars (\$25.00).

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-316.7 of Title 63, unless there is created a duplication in numbering, reads as follows:

Notwithstanding any other law, a certificate issued pursuant to this act shall authorize the holder thereof to receive, upon presentation of said certificate, from any physician licensed in this state or from the State Department of Health, a prescription for premeasured doses of epinephrine and the necessary paraphernalia for administration. The certificate shall also authorize the holder thereof to possess and administer in an emergency situation, when a physician is not immediately available, such prescribed epinephrine

to persons suffering or believed by the certificate holder to be suffering a severe, adverse reaction to an insect sting.

SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-316.8 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. No cause of action shall arise against a certificate holder authorized by this act, for any act or omission of such certificate holder when acting in good faith while rendering emergency treatment pursuant to the authority granted by this act, except where such conduct amounts to gross negligence.

B. No cause of action shall arise against any person for any act or omission when acting in good faith by administering epinephrine to a person believed to be in lawful possession of such epinephrine and believed to be in need of emergency treatment, except where such conduct amounts to gross negligence.

SECTION 9. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

43-2-1316

CJ