

05/21/2012 02:34:06 PM

HOUSE OF REPRESENTATIVES
CONFERENCE COMMITTEE REPORT

Mr. President:
Mr. Speaker:

The Conference Committee, to which was referred

HB2700

By: Fourkiller of the House and Crain of the Senate

Title: Schools; permitting school nurses to administer Epinephrine injectors to students; effective date.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from Amendment No. 1; and
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,

House Action _____ Date _____ Senate Action _____ Date _____

HOUSE CONFEREES

Blackwell _____

Cannaday 

Casey _____

Coody _____

Cooksey Marian Cooksey

Denney Lee Denney

Hall _____

Holland _____

Kouplen Steve Kouplen

McDaniel Jeannie McDaniel

(Jeannie) Jadine Nollan

Nollan _____

Shumate J. Shumate

Thomsen _____

HB2700 CCR A

SENATE CONFEREES

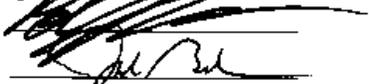
Barrington



Crain



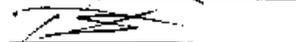
Johnson (Rob)



Brecheen



Paddack



Ivester



House Action _____ Date _____ Senate Action _____ Date _____

House Action _____ Date _____ Senate Action _____ Date _____

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 CONFERENCE COMMITTEE
4 SUBSTITUTE
5 FOR ENGROSSED
6 HOUSE BILL NO. 2700

By: Fourkiller, Nollan, Hickman
and Inman of the House

7 and

8 Crain of the Senate

9
10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to schools; amending 70 O.S. 2011,
12 Section 1-116.3, which relates to the self-
13 administration of inhaled asthma or anaphylaxis
14 medication; allowing school districts to amend
15 certain policy; permitting certain physician to write
16 certain prescription; excluding liability of certain
17 physician for certain injury; allowing school
18 districts to maintain a minimum number of Epinephrine
19 injectors at each school; and providing an effective
20 date.

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

22 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1-116.3, is
23 amended to read as follows:

24 Section 1-116.3 A. Notwithstanding the provisions of Section
1-116.2 of this title, the board of education of each school
district shall adopt a policy on or before September 1, 2008, that
permits the self-administration of inhaled asthma medication by a

1 student for treatment of asthma and the self-administration of
2 anaphylaxis medication by a student for treatment of anaphylaxis.

3 The policy shall require:

4 1. The parent or guardian of the student to authorize in
5 writing the student's self-administration of medication;

6 2. The parent or guardian of the student to provide to the
7 school a written statement from the physician treating the student
8 that the student has asthma or anaphylaxis and is capable of, and
9 has been instructed in the proper method of, self-administration of
10 medication;

11 3. The parent or guardian of the student to provide to the
12 school an emergency supply of the student's medication to be
13 administered pursuant to the provisions of Section 1-116.2 of this
14 title;

15 4. The school district to inform the parent or guardian of the
16 student, in writing, that the school district and its employees and
17 agents shall incur no liability as a result of any injury arising
18 from the self-administration of medication by the student; and

19 5. The parent or guardian of the student to sign a statement
20 acknowledging that the school district shall incur no liability as a
21 result of any injury arising from the self-administration of
22 medication by the student.

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1 B. The school board of each school district that elects to
2 stock epinephrine injectors shall amend the policy identified in
3 subsection A of this section. The amended policy shall allow:

4 1. The school district to inform the parent or guardian of each
5 student, in writing, that a school nurse or school employee trained
6 by a health care professional or trained in correlation with the
7 State Department of Health's Diabetes Management Annual School
8 Training Program, may administer, without a health care provider
9 order, an Epinephrine injector to a student whom the school nurse or
10 trained school employee in good faith believes is having an
11 anaphylaxis reaction; and

12 2. The school district and its employees and agents to incur no
13 liability as a result of any injury arising pursuant to paragraph 1
14 of this subsection.

15 C. A licensed physician who has prescriptive authority may
16 write a prescription for Epinephrine injectors to be maintained at
17 each school site. Such physician shall incur no liability as a
18 result of any injury arising from the use of the Epinephrine
19 injectors.

20 D. The school district may maintain at each school a minimum of
21 two Epinephrine injectors in a secure location.

22 ~~B.~~ E. As used in this section:

23 1. "Medication" means a metered dose inhaler or a dry powder
24 inhaler to alleviate asthmatic symptoms, prescribed by a physician

1 and having an individual label, or an anaphylaxis medication used to
2 treat anaphylaxis, including but not limited to Epinephrine
3 injectors, prescribed by a physician and having an individual label;
4 and

5 2. "Self-administration" means a student's use of medication
6 pursuant to prescription or written direction from a physician.

7 ~~E.~~ F. The permission for self-administration of asthma or
8 anaphylaxis medication is effective for the school year for which it
9 is granted and shall be renewed each subsequent school year upon
10 fulfillment of the requirements of this section.

11 ~~D.~~ G. A student who is permitted to self-administer asthma or
12 anaphylaxis medication pursuant to this section shall be permitted
13 to possess and use a prescribed inhaler or anaphylaxis medication,
14 including but not limited to an Epinephrine injector, at all times.

15 SECTION 2. This act shall become effective November 1, 2012.

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17 53-2-10437 AM 05/07/12

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