



This Bill Analysis reflects the contents of the bill as it was presented in committee.

# HOUSE BILL 647: Epi Pens in All Child-Serving Businesses

2015-2016 General Assembly

<b>Committee:</b>	House Health	<b>Date:</b>	April 16, 2015
<b>Introduced by:</b>	Reps. McGrady, Avila, Stevens, Glazier	<b>Prepared by:</b>	Amy Jo Johnson Committee Counsel
<b>Analysis of:</b>	PCS to First Edition H647-CSTK-11		

**SUMMARY:** *The PCS to House Bill 647 would authorize health care providers to prescribe and dispense epinephrine auto-injectors to authorized entities at which allergens capable of causing anaphylaxis may occur. The bill allows employees or agents of authorized entities to provide or administer epinephrine under certain circumstances to specified individuals. The bill would also confer immunity on individuals acting pursuant to the act and specifies that actions taken pursuant to the act do not constitute the practice of medicine. The PCS makes technical changes and allows the Board of Pharmacy to adopt rules.*

**CURRENT LAW:** G.S. 115C-375.2A requires a local board of education to provide for an emergency supply of epinephrine auto-injectors on school property for use by trained school personnel to provide emergency aid to persons suffering from an anaphylactic reaction on school property. Designated personnel must undergo training related to the use of the epinephrine auto-injector and the principal must develop an emergency plan for the use of the auto-injectors. A local board of education, its members, employees, designees, agents, or volunteers, and a physician, physician assistant, or nurse practitioner of the local health department shall not be liable in civil damages for actions taken under the statute unless those actions constitute gross negligence, wanton conduct, or intentional wrongdoing.

**BILL ANALYSIS:**

The PCS for H647 would allow any entity or organization, other than a school as addressed in G.S. 115C-375.2A, at which allergens capable of causing anaphylaxis may be present to maintain a supply of epinephrine auto-injectors. Epinephrine auto-injectors are defined as "a single-use device used for the automatic injection of a premeasured dose of epinephrine into the human body." The bill would allow for a health care provider to prescribe epinephrine auto-injectors in the name of the authorized entity and for pharmacist and health care providers to dispense epinephrine auto-injectors to the authorized entities. The prescription will be valid for no more than 2 years. The epinephrine auto-injectors may be supplied and/or administered by the entity to any individual experiencing anaphylaxis or provided to the parent, guardian, or caregiver of any person experiencing anaphylaxis.

If an authority entity does acquire and stock a supply of epinephrine auto-injectors, the entity must do so in accordance with the manufacturer's instructions. That entity must also designate employees or agents to be responsible for the storage, maintenance, control, and general oversight of the epinephrine auto-injectors. The designated employees or agents must undergo training as outlined in the bill regarding recognizing signs and symptoms of anaphylaxis, procedures for storage and administration of epinephrine auto-injectors and emergency follow-up procedures. The bill would grant immunity to specified individuals for any injuries or related damages that result from any act or omission taken pursuant to the bill, but would not apply to acts or omissions constituting gross negligence, wanton conduct, or intentional wrongdoing.

The PCS would allow the North Carolina Board of Pharmacy to adopt rules addressing the authorization for authorized entities to obtain a prescription for epinephrine auto-injectors.

**EFFECTIVE DATE:** This act becomes effective October 1, 2015.

O. Walker Reagan  
Director



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