



HOUSE BILL 397: Use of Epinephrine Nasal Spray.

2025-2026 General Assembly

Committee:	House Education - K-12. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	April 1, 2025
Introduced by:	Reps. Lambeth, Cotham	Prepared by:	Hillary Woodard
Analysis of:	PCS to First Edition H397-CSCH-6		Staff Attorney

OVERVIEW: *House Bill 397 would expand the definition of epinephrine auto-injectors to epinephrine delivery systems in order to include nasal sprays in addition to auto-injectors for the treatment of asthma or anaphylactic reactions in schools.*

The Proposed Committee Substitute (PCS) for House Bill 397 would make technical and conforming changes, so that the definition of epinephrine delivery systems would be applicable to certain entities and organizations other than schools.

CURRENT LAW: Epinephrine auto-injectors are a disposable drug delivery system with a spring-activated, concealed needle that is designed for emergency administration of epinephrine. G.S. 115C-375.2(a). Local boards of education (G.S. 115C-375.2A) along with the board of directors of charter schools (G.S. 115C-218.75), regional schools (G.S. 115C-238.66), and the chancellor of laboratory schools (G.S. 116-239.8) are required to comply with certain requirements regarding maintaining and providing epinephrine auto-injectors, including, among other requirements:

- Adopting a policy authorizing certain students to possess and self-administer asthma medication on school property, at school-sponsored activities, and while in transit to or from school or school-sponsored events. Asthma medication is medicine prescribed for the treatment of asthma or anaphylactic reactions and includes a prescribed asthma inhaler or epinephrine auto-injector.
- Providing for a supply of emergency epinephrine auto-injectors on school property for use by trained school personnel to provide emergency medical aid to persons suffering from an anaphylactic reaction.

Certain entities and organizations are authorized to maintain a supply of epinephrine auto-injectors. These authorized entities include recreation camps, colleges, universities, day care facilities, youth sports leagues, amusement parks, restaurants, places of employment, and sports arenas. G.S. 90-21.15A.

BILL ANALYSIS: The PCS would expand the definition of epinephrine auto-injectors to epinephrine delivery systems to include nasal sprays for the emergency administration of epinephrine. Local boards of education would be required to modify their policies regarding students possessing and self-administering epinephrine to also include nasal sprays. Local boards of education, charter schools, regional schools, and laboratory schools would still be required to provide epinephrine delivery systems for their school, including include nasal sprays and auto-injectors.

The epinephrine delivery systems that authorized entities are permitted to maintain a supply of would include both epinephrine nasal sprays and auto-injectors.

Kara McCraw
Director



Legislative Analysis
Division
919-733-2578

House 397 PCS

Page 2

EFFECTIVE DATE: The PCS would become effective when it becomes law. The provisions related to schools would apply beginning with the 2025-2026 school year.

BACKGROUND: In August 2024, the U.S. Food and Drug Administration approved epinephrine nasal spray to treat allergic reactions in adults and children who weigh at least 66 pounds.