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MEMORANDUM

To: Senate Public Health and Welfare Committee

From: Office of Revisor of Statutes

Date: March 12, 2024

Subject: HB 2547 - Authorizing schools to maintain certain emergency medication kits and to administer such medication in emergency situations

House Bill 2547 authorizes schools to maintain emergency medical kits and to administer albuterol or epinephrine to students in emergency situations.

Section 3 amends K.S.A. 72-6283 by striking the current law and replacing it with new language. Subsection (a) defines terms used in this section, and K.S.A. 65-1680 and 65-1872b (sections 1 and 2 of the bill).

Subsection (b) (1) authorizes a school to maintain a stock supply of epinephrine or albuterol by obtaining a prescription in the name of the school. The physician or mid-level practitioner who prescribes the emergency medication is required to review the school's emergency medication policies established in subsection (c) before authorizing such prescription. Paragraphs (2) and (3) specify what the stock supply of epinephrine or albuterol may consist of and authorizes a school nurse and designated school personnel to administer such medication at school if the school nurse or designated school personnel reasonably believes an individual is exhibiting the signs of respiratory distress.

Subsection (c) requires a school that maintains a stock supply of emergency medication to establish policies relating to storage, monitoring inventory, administration and training requirements for designated school personnel.

Section 1 amends K.S.A. 65-1680 to authorize a pharmacist to distribute a stock supply epinephrine auto injectors and albuterol pursuant to a prescription as authorized in K.S.A. 72-6283.

Section 2 amends K.S.A. 65-2872b, the statute specifying persons not engaged in the practice of healing arts, by adding persons who administer albuterol to an individual in respiratory distress and also expands the civil liability protections by allowing the emergency medication to be given to not just students or school staff, but any individual at school, on school property or at a school-sponsored event.

Subsection (c) specifies that a physician or mid-level practitioner is not liable for civil damages resulting from the administration of emergency medication pursuant to K.S.A. 65-1680 or 72-6283.

HB 2457 would take effect from and after July 1, 2024, upon publication in the statute book.

There were no House committee amendments. The bill passed the House 116 to 4.