

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 380,
2 Page 9, Section 192.926, Line 47, by inserting after all of said line the following:

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4 "196.990. 1. As used in this section, the following terms shall mean:

5 (1) "Administer", the direct application of an epinephrine auto-injector to the body of an
6 individual;

7 (2) "Authorized entity", any entity or organization at or in connection with which allergens
8 capable of causing anaphylaxis may be present, including but not limited to restaurants, recreation
9 camps, youth sports leagues, amusement parks, and sports arenas;

10 (3) "Epinephrine auto-injector", a single-use device used for the automatic injection of a
11 premeasured dose of epinephrine into the human body;

12 (4) "Physician", a physician licensed in this state under chapter 334;

13 (5) "Provide", the supply of one or more epinephrine auto-injectors to an individual;

14 (6) "Self-administration", a person's discretionary use of an epinephrine auto-injector.

15 2. A physician may prescribe epinephrine auto-injectors in the name of an authorized entity
16 for use in accordance with this section, and pharmacists, physicians, and other persons authorized to
17 dispense prescription medications may dispense epinephrine auto-injectors under a prescription
18 issued in the name of an authorized entity.

19 3. An authorized entity may acquire and stock a supply of epinephrine auto-injectors under a
20 prescription issued in accordance with this section. Such epinephrine auto-injectors shall be stored
21 in a location readily accessible in an emergency and in accordance with the epinephrine
22 auto-injector's instructions for use and any additional requirements established by the department of
23 health and senior services by rule. An authorized entity shall designate employees or agents who
24 have completed the training required under this section to be responsible for the storage,
25 maintenance, and general oversight of epinephrine auto-injectors acquired by the authorized entity.

26 4. An employee or agent of an authorized entity or any other person who has completed the
27 training required under this section may use epinephrine auto-injectors prescribed under this section
28 on the premises of or in connection with the authorized entity to:

29 (1) Provide an epinephrine auto-injector to any individual who the employee, agent, or other
30 person believes in good faith is experiencing anaphylaxis for immediate self-administration,
31 regardless of whether the individual has a prescription for an epinephrine auto-injector or has
32 previously been diagnosed with an allergy;

33 (2) Administer an epinephrine auto-injector to any individual who the employee, agent, or
34 other person believes in good faith is experiencing anaphylaxis, regardless of whether the individual
35 has a prescription for an epinephrine auto-injector or has previously been diagnosed with an allergy.

36 5. An authorized entity that acquires a supply of epinephrine auto-injectors under a

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1 prescription issued in accordance with this section shall ensure that:

2 (1) Expected epinephrine auto-injector users receive training in recognizing symptoms of
3 severe allergic reactions including anaphylaxis and the use of epinephrine auto-injectors from a
4 nationally recognized organization experienced in training laypersons in emergency health treatment
5 or a person or entity approved by the department of health and senior services;

6 (2) Any person who provides or administers an epinephrine auto-injector to an individual
7 who the person believes in good faith is experiencing anaphylaxis activates the emergency medical
8 services system as soon as possible; and

9 (3) A proper review of all situations in which an epinephrine auto-injector is used to render
10 emergency care is conducted.

11 6. Any authorized entity that acquires a supply of epinephrine auto-injectors under a
12 prescription issued in accordance with this section shall notify the emergency communications
13 district or the ambulance dispatch center of the primary provider of emergency medical services
14 where the epinephrine auto-injectors are to be located within the entity's facility.

15 7. No person shall provide or administer an epinephrine auto-injector to any individual who
16 is under twelve years of age without the verbal consent of a parent or guardian who is present at the
17 time when provision or administration of the epinephrine auto-injector is needed. Provided,
18 however, that a person may provide or administer an epinephrine auto-injector to such an individual
19 without the consent of a parent or guardian if the parent or guardian is not physically present and the
20 person reasonably believes the individual shall be in imminent danger without the provision or
21 administration of the epinephrine auto-injector.

22 8. Any person who gratuitously and in good faith renders emergency care by use of or
23 provision of an epinephrine auto-injector shall not be held liable for any civil damages as a result of
24 such care or treatment. No person or entity that provides appropriate training to any person using an
25 epinephrine auto-injector, that is responsible for the site where an epinephrine auto-injector is
26 located, that owns an epinephrine auto-injector, nor the physician who prescribes an epinephrine
27 auto-injector under this section shall be held liable for civil damages resulting from the use of an
28 epinephrine auto-injector, unless such person or entity acts in a willful and wanton or reckless
29 manner.

30 9. No employee or agent of an authorized entity or any other person who has completed the
31 training required under this section acting in good faith and exercising reasonable care shall be liable
32 for failure to administer an epinephrine auto-injector.

33 10. All basic life support ambulances and stretcher vans operated in the state shall be
34 equipped with epinephrine auto-injectors and be staffed by at least one individual trained in the use
35 of epinephrine auto-injectors.

36 11. The provisions of this section shall apply in all counties within the state and any city not
37 within a county."; and

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39 Further amend said bill by amending the title, enacting clause, and intersectional references
40 accordingly.
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