

HCS SB 677 -- EMERGENCY ADMINISTRATION EPINEPHRINE

SPONSOR: Sater (Frederick)

COMMITTEE ACTION: Voted "Do Pass with Amendments" by the Standing Committee on Health and Mental Health Policy by a vote of 11 to 0. Voted "Do Pass with HCS" by the Select Committee on Social Services by a vote of 10 to 0.

The bill allows a physician to prescribe epinephrine (EPI) auto-injectors in the name of an authorized entity for use in certain emergency situations. Pharmacists, physicians, and other persons authorized to dispense prescription medications may dispense EPI auto-injectors under a prescription issued in the name of an authorized entity. An "authorized entity" is defined as any entity or organization at or in connection with locations where allergens capable of causing anaphylaxis may be present, including but not limited to restaurants, recreation camps, youth sports leagues, amusement parks, and sports arenas. An authorized entity shall not include any public school or public charter school.

The bill also allows such authorized entities to acquire and stock a supply of EPI auto-injectors under a prescription issued in accordance with the provisions of the bill. An employee or agent of an authorized entity or any other person who has completed the required training shall be allowed to use the EPI auto-injector on the premises of or in connection with the authorized entity to provide it to any individual who the employee, agent, or other person believes in good faith is experiencing anaphylaxis, regardless of whether the individual has a prescription for the EPI auto-injector or has been previously diagnosed with an allergy. The employee or agent shall not administer or provide the auto-injector to a person who is 18 years of age or younger without the verbal consent of a parent or guardian who is present at the time, unless the child will be in imminent danger without the use of the auto-injector.

The bill specifies the required training and the procedures for making the EPI auto-injectors available to individuals other than trained persons, as long as the auto-injectors are secured and properly stored. The bill also requires all basic life support ambulances and stretcher vans to be equipped with EPI auto-injectors and staffed by at least one person trained in the use of the auto-injectors.

The bill exempts certain persons and entities from liability for any injuries or related damages that result from the administration or self-administration of an EPI auto-injector in accordance with the provisions of the bill that may constitute ordinary negligence.

The immunity shall not apply to acts or omissions constituting reckless disregard for the safety of others, willful negligence, or wanton negligence, and shall be in addition to and not in lieu of the protections provided under the Good Samaritan emergency law. No trained person who is in compliance with this law and who in good faith and with reasonable care fails to administer the EPI auto-injector shall be liable for that failure.

PROPONENTS: Supporters say that the bill would allow restaurants, summer camps and other entities to stock EPI pens in the event a person has a severe allergic reaction. Food allergies that can lead to anaphylaxis are a growing problem in the United States and can be deadly. Allergies other than those to food can also cause anaphylaxis. Standard practice is to seek emergency services immediately after administration of EPI. The bill creates immunity from liability in certain instances when trying to administer this life-saving treatment.

Testifying for the bill were Senator Sater; Missouri State Medical Association; and the Missouri Association Of Physicians And Surgeons.

OPPONENTS: There was no opposition voiced to the committee.