



HOUSE OF REPRESENTATIVES

HB 2265

epinephrine auto-injectors

Prime Sponsor: Representative Cobb, LD 5

DP Committee on Health
DPA Caucus and COW
X As Transmitted to the Governor

OVERVIEW

HB 2265 permits an authorized entity to acquire and stock a supply of epinephrine auto-injectors that have been prescribed by a medical practitioner.

PROVISIONS

1. Allows medical practitioners to prescribe epinephrine auto-injectors in the name of an authorized entity and allows pharmacists and practitioners to dispense epinephrine auto-injectors.
2. Makes prescriptions valid for two years.
3. Permits an authorized entity to acquire, stock and store a supply of epinephrine auto-injectors in a location that is readily accessible in case of an emergency.
4. Designates employees or agents of an authorized entity who have completed required training to be responsible for the storage, maintenance, control and general oversight of epinephrine auto-injectors acquired by the authorized entity.
5. Specifies that an employee or agent of an authorized entity who has completed the required training may provide and administer an epinephrine auto-injector to any person whom they believe in good faith is experiencing anaphylaxis regardless of whether the person has a prescription or has been previously diagnosed with an allergy.
6. Requires any person providing or administering an epinephrine auto-injector complete initial anaphylaxis training and a training every two years thereafter.
7. Requires an epinephrine auto-injection training program to be conducted by a nationally recognized organization that is experienced in training laypersons in emergency health treatment or by any person approved by the Arizona Department of Health Services (ADHS).
8. Allows for training to be conducted online or in person and must cover the following:
 - a. Recognizing signs and symptoms of severe allergic reaction, including anaphylaxis;
 - b. Standards and procedures for the storage and administration of an epinephrine auto-injector; and
 - c. Emergency follow-up procedures.
9. Specifies that the entity conducting the required training must issue an approved certificate to each person who successfully completes the program.

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10. Clarifies that the administration of epinephrine auto-injectors is not the practice of medicine or any other profession that requires a license.
11. States that a Practitioner prescribing epinephrine auto-injectors in the name of an authorized entity are immune from civil liability with respect to all actions or omissions taken based on good faith, except in cases of gross negligence, willful misconduct or intentional wrongdoing.
12. Changes the immunity language in A.R.S. § 15-157 from wanton or wilful neglect to gross negligence, wilful misconduct or intentional wrongdoing.
13. Clarifies that the immunity from civil liability does not affect a manufacturer's product liability regarding the design, manufacturing or instructions for use of an epinephrine auto-injector.
14. Requires that an authorized entity who possesses and makes available epinephrine auto-injectors must submit a report of each incident that occurs on the premise to ADHS.
15. Defines *administer*, *authorized entity*, *epinephrine auto-injector* and *practitioner*.
16. Revises the definition of an authorized entity to exclude a school district or charter school.
17. Makes technical and conforming changes.

CURRENT LAW

A.R.S. § 15-341 requires school district governing boards to prescribe and enforce policies and procedures that allow students diagnosed with anaphylaxis to carry and self-administer emergency medications, including auto-injectable epinephrine, while at school and school-sponsored activities. Policies must require that the student notify the nurse or designated staff of the use of the medication as soon as possible.

A.R.S. § 15-157 allows a trained school employee to administer, or assist in the administration of auto-injectable epinephrine if they are acting in good faith. Statute also provides immunity from civil liability to medical professionals that prescribe auto-injector epinephrine to a school or a charter school.