

House Bill 227 (AS PASSED HOUSE AND SENATE)

By: Representatives Clark of the 98th, Cooper of the 41st, Wilkinson of the 52nd, Clark of the 104th, Evans of the 40th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 3 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to student health in elementary and secondary education, so as to revise
3 a law authorizing a student to carry and self-administer auto-injectable epinephrine; to
4 provide for local board of education policies authorizing school personnel to administer
5 auto-injectable epinephrine to students who are having an anaphylactic adverse reaction; to
6 provide for a definition; to provide for information; to provide for immunity; to provide for
7 related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Part 3 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
11 relating to student health in elementary and secondary education, is amended in Code Section
12 20-2-776, relating to auto-injectable epinephrine carried by a student, by adding a new
13 subsection to read as follows:

14 "(g) Nothing in this Code section shall be construed to prohibit a school from receiving and
15 storing prescription auto-injectable epinephrine onsite on behalf of a student who is not
16 able to self-administer the medication because of age or any other reason if the parent or
17 guardian provides:

18 (1) A written statement from a physician licensed under Chapter 34 of Title 43 detailing
19 the name of the medication, method, amount, and time schedules by which the
20 medication is to be taken; and

21 (2) A written statement by the parent or guardian providing a release for the school nurse
22 or other designated school personnel to consult with the physician regarding any
23 questions that may arise with regard to the medication, and releasing the school system
24 and its employees and agents from civil liability.

25 The written statements specified in this subsection shall be provided at least annually and
26 more frequently if the medication, dosage, frequency of administration, or reason for
27 administration changes."

28 **SECTION 2.**

29 Said part is further amended by adding a new Code section to read as follows:

30 "20-2-776.1.

31 (a) As used in this Code section, the term 'auto-injectable epinephrine' means a disposable
32 drug delivery device that is easily transportable and contains a premeasured single dose of
33 epinephrine used to treat life-threatening allergic reactions.

34 (b) Each local board of education shall adopt a policy authorizing school personnel to
35 administer auto-injectable epinephrine, if available, to a student upon the occurrence of
36 an actual or perceived anaphylactic adverse reaction by the student, whether or not such
37 student has a prescription for epinephrine.

38 (c) Each local board of education shall provide information to school personnel on how
39 to recognize the symptoms of anaphylactic shock and the correct method of administering
40 the auto-injectable epinephrine.

41 (d) Any school personnel who in good faith administers or chooses not to administer
42 epinephrine to a student pursuant to this Code section shall be immune from civil liability
43 for any act or omission to act related to the administration of epinephrine, except that such
44 immunity shall not apply to an act of willful or wanton misconduct."

45 **SECTION 3.**

46 All laws and parts of laws in conflict with this Act are repealed.