

By: Representative Paden

To: Public Health and Human Services; Appropriations

HOUSE BILL NO. 151

1 AN ACT TO REQUIRE EACH EDUCATIONAL BUILDING, ADMINISTRATIVE
 2 OFFICE, DORMITORY AND CAFETERIA ON THE CAMPUS OF PUBLIC
 3 POSTSECONDARY EDUCATIONAL INSTITUTIONS TO HAVE AN EPINEPHRINE
 4 AUTO-INJECTOR AND AN AUTOMATED EXTERNAL DEFIBRILLATOR (AED) STORED
 5 IN A SECURE AND EASILY ACCESSIBLE LOCATION WITHIN EACH RESPECTIVE
 6 BUILDING; TO DEFINE THE TERMS USED IN THIS ACT; TO REQUIRE EACH
 7 PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTION TO ADOPT AND
 8 IMPLEMENT A POLICY REGARDING THE MAINTENANCE, STORAGE,
 9 ADMINISTRATION AND DISPOSAL OF EPINEPHRINE AUTO-INJECTORS, AND THE
 10 MAINTENANCE, STORAGE, TESTING AND USE OF AEDS; TO PRESCRIBE THE
 11 MINIMUM REQUIREMENTS OF THE POLICY; TO PROVIDE THAT ONLY LICENSED
 12 MEDICAL PROFESSIONALS OR MEMBERS OF THE CAMPUS COMMUNITY TRAINED
 13 BY LICENSED MEDICAL PROFESSIONALS SHALL BE AUTHORIZED TO
 14 ADMINISTER EPINEPHRINE AUTO-INJECTORS OR USE AN AED FOR PERSON IN
 15 EMERGENCY ANAPHYLAXIS OR CARDIAC ARREST; TO REQUIRE THE STATE
 16 DEPARTMENT OF HEALTH, IN CONSULTATION WITH THE COMMISSIONER OF
 17 HIGHER EDUCATION AND THE EXECUTIVE DIRECTOR OF THE MISSISSIPPI
 18 COMMUNITY COLLEGE BOARD, TO ESTABLISH GUIDELINES FOR THE
 19 DEVELOPMENT OF POLICIES BY PUBLIC POSTSECONDARY EDUCATIONAL
 20 INSTITUTIONS; TO REQUIRE THE STATE DEPARTMENT OF HEALTH TO ADOPT
 21 RULES REGARDING THE MAINTENANCE, STORAGE, ADMINISTRATION AND
 22 DISPOSAL OF AN EPINEPHRINE AUTO-INJECTOR, AND THE MAINTENANCE,
 23 STORAGE, TESTING AND USE OF AEDS ON POSTSECONDARY CAMPUSES; AND
 24 FOR RELATED PURPOSES.

25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

26 **SECTION 1.** As used in this act, the following terms shall
 27 have the meanings ascribed in this section, unless context clearly
 28 requires otherwise:

29 (a) "Anaphylaxis" means a sudden, severe and



30 potentially life-threatening allergic reaction that occurs when a
31 person is exposed to an allergen.

32 (b) "Automated external defibrillator" or "AED" means a
33 portable electronic device that automatically diagnoses the
34 life-threatening cardiac arrhythmias of ventricular fibrillation
35 (VF) and pulseless ventricular tachycardia, and is able to treat
36 them through defibrillation, the application of electricity which
37 stops the arrhythmia, allowing the heart to reestablish an
38 effective rhythm.

39 (c) "Campus" means a public postsecondary educational
40 institution under the management and control of the Board of
41 Trustees of State Institutions of Higher Learning or jurisdiction
42 of the Mississippi Community College Board and may include, in
43 addition to the main campus, off-campus and secondary locations,
44 such as branch campuses, teaching locations and regional centers.

45 (d) "Epinephrine auto-injector" means a disposable
46 medical drug delivery device that contains a premeasured single
47 dose of epinephrine that is intended to be used to treat
48 anaphylaxis.

49 (e) "Licensed campus medical professional" means a
50 physician, physician assistant, advanced practice nurse, or
51 registered nurse who is appropriately licensed by the State of
52 Mississippi and is designated by an postsecondary educational
53 institution to oversee the institution's epinephrine



54 administration, CPR instruction, automated external defibrillator
55 (AED) usage and training program.

56 (f) "Member of the campus community" means an
57 individual who is a student, faculty, or staff member of an
58 institution of higher education.

59 (g) "Public postsecondary educational institution"
60 means:

61 (i) A four-year institution of higher learning
62 under the management and control of the Board of Trustees of State
63 Institutions of Higher Learning; and

64 (ii) A two-year educational institution under the
65 jurisdiction of the Mississippi Community College Board.

66 (h) "Trained designee" means a member of the campus
67 community trained by a licensed campus medical professional in the
68 emergency administration of epinephrine via an auto-injector
69 mechanism, administration of CPR and use of an automated external
70 defibrillator (AED).

71 **SECTION 2.** All public postsecondary educational institutions
72 shall comply with all provisions of this act. Each campus of such
73 institutions shall have, in each educational building,
74 administrative office, dormitory and cafeteria, an epinephrine
75 auto-injector and an AED, which is stored in a secure and easily
76 accessible location within each respective building to be used by
77 a licensed campus medical professional or trained designee for use



78 in the event of an emergency anaphylactic reaction or cardiac
79 arrest.

80 **SECTION 3.** (1) Each public postsecondary educational
81 institution shall adopt and implement a policy regarding the
82 maintenance, storage, administration and disposal of epinephrine
83 auto-injectors, and the maintenance, storage, testing and use of
84 automated external defibrillators (AEDs), on the institution's
85 campus.

86 (2) The adopted policy must provide:

87 (a) That licensed campus medical professionals or
88 members of the campus community under the guidance of a licensed
89 campus medical professional who are authorized and trained may
90 administer an epinephrine auto-injector to or use an AED on a
91 member of the campus community for whom the designee is
92 responsible, when the designee in good faith believes that the
93 member of the campus community is reasonably believed to be
94 experiencing anaphylaxis or severe cardiac arrest on the
95 institution's campus;

96 (b) That licensed campus medical professionals or
97 members of the campus community under the guidance of a licensed
98 campus medical professional who are authorized and trained may
99 administer an epinephrine auto-injector to a person who is
100 reasonably believed to be experiencing anaphylaxis, or use an AED
101 on a person who is reasonably believed to be experiencing severe
102 cardiac arrest at an off-campus event or while in transit to or



103 from an off-campus event sponsored by the postsecondary
104 educational institution;

105 (c) Permit a trained designee, when responsible for the
106 safety of one (1) or more members of the campus community, to
107 carry in a secure but easily accessible location a supply of
108 epinephrine auto-injectors that is prescribed under a standing
109 protocol from a licensed physician;

110 (d) That the licensed campus medical professional shall
111 have responsibility for training designees in the:

112 (i) Administration of epinephrine via an
113 auto-injector mechanism;

114 (ii) Distributing prescribed epinephrine
115 auto-injectors to trained designees; and

116 (iii) Proper administration of CPR and use of an
117 AED; and

118 (e) That a physician, physician assistant, advanced
119 practice nurse or registered nurse who is appropriately licensed
120 by the State of Mississippi shall be designated to serve as the
121 licensed campus medical professional, authorized to:

122 (i) Establish and administer a standardized
123 training protocol for the emergency administration of epinephrine,
124 CPR and use of an AED by trained designees;

125 (ii) Ensure that trained designees have
126 satisfactorily completed the training protocol;



127 (iii) Obtain a supply of epinephrine
128 auto-injectors under a standing protocol from a licensed
129 physician; and
130 (iv) Control distribution to trained designees of
131 epinephrine auto-injectors.

132 (3) To become a trained designee, an individual must:

133 (a) Be eighteen (18) years of age or older;

134 (b) Have, or reasonably expect to have, responsibility
135 for at least one (1) other member of the campus community as a
136 result of the individual's occupational or volunteer status; and

137 (c) Have satisfactorily completed a standardized
138 training protocol established and administered by a licensed
139 campus medical professional in accordance with guidelines
140 developed by the State Department of Health, in consultation with
141 the Commissioner of Higher Education and the Executive Director of
142 the Mississippi Community College Board, in accordance with
143 Section 4 of this act.

144 **SECTION 4.** The State Department of Health, in consultation
145 with the Commissioner of Higher Education and the Executive
146 Director of the Mississippi Community College Board, shall
147 establish guidelines for the development of a policy by a public
148 postsecondary educational institution for the emergency
149 administration of epinephrine to a member of the campus community
150 for anaphylaxis, the administration of CPR and the emergency use
151 of an AED on a member of the campus community in cardiac arrest



152 when a medical professional is not available. The guidelines
153 shall address issues including, but not be limited to, the
154 responsibilities of the institution of higher education, the
155 licensed campus medical professional, and the trained designee for
156 the emergency administration of epinephrine, administration of CPR
157 and use of an AED. The department shall disseminate the
158 guidelines to the president of each public postsecondary
159 educational institution.

160 **SECTION 5.** (1) The State Department of Health shall adopt
161 rules regarding the maintenance, storage, administration and
162 disposal of an epinephrine auto-injector, and the maintenance,
163 storage, testing and use of AEDs on the campus of a postsecondary
164 educational institution subject to a policy adopted under Section
165 3 of this act. The rules must establish:

166 (a) The number of epinephrine auto-injectors and AEDs
167 available at each campus;

168 (b) The process to be used by each postsecondary
169 educational institution to check the inventory of epinephrine
170 auto-injectors and AEDs at regular intervals for expiration and
171 replacement and, in the case of AEDs, testing; and

172 (c) The amount of training required for personnel or
173 volunteers to administer an epinephrine auto-injector, administer
174 CPR or use an AED.

175 (2) No licensed campus medical professional, trained
176 designee, or physician providing a prescription under a standing



177 protocol for epinephrine pursuant to this act, shall be held
178 liable for any good faith act or omission committed in accordance
179 with the provisions of this act. Good faith shall not include
180 willful misconduct, gross negligence, or recklessness.

181 **SECTION 6.** Nothing in this act shall be construed to:

182 (a) Permit a trained designee to perform the duties or
183 fill the position of a licensed medical professional;

184 (b) Prohibit the administration of an epinephrine
185 auto-injector mechanism by a person acting pursuant to a lawful
186 prescription, administration of CPR or use of an AED; or

187 (c) Prevent a licensed and qualified member of a health
188 care profession from administering an epinephrine auto-injector
189 mechanism, administering CPR or using an AED if the duties are
190 consistent with the accepted standards of the member's profession.

191 **SECTION 7.** This act shall take effect and be in force from
192 and after July 1, 2022.

