

By: Representative Paden

To: Public Health and Human Services; Appropriations

HOUSE BILL NO. 153

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

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

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

26 (a) "Anaphylaxis" means a sudden, severe and  
 27 potentially life-threatening allergic reaction that occurs when a



28 person is exposed to an allergen.

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

36 (c) "Epinephrine auto-injector" means a disposable  
37 medical drug delivery device that contains a premeasured single  
38 dose of epinephrine that is intended to be used to treat  
39 anaphylaxis.

40 (d) "Licensed medical professional" means a physician,  
41 physician assistant, advanced practice nurse, registered nurse or  
42 school nurse who is appropriately licensed by the State of  
43 Mississippi and is designated by a the local school board  
44 institution to oversee the district's epinephrine administration,  
45 CPR instruction, automated external defibrillator (AED) usage and  
46 training program.

47 (e) "Public postsecondary educational institution"  
48 means:

49 (i) A four-year institution of higher learning  
50 under the management and control of the Board of Trustees of State  
51 Institutions of Higher Learning; and



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

54 (f) "School" means a public elementary or secondary  
55 educational facility under the control of a local school board,  
56 and all the instructional and subsidiary buildings situated on the  
57 same campus, off-campus teaching locations and regional centers  
58 under the jurisdiction of the school board.

59 (g) "School personnel" means an individual who is a  
60 faculty or staff member of the local school district.

61 (h) "Trained designee" means a member of the school  
62 personnel trained by a licensed medical professional in the  
63 emergency administration of epinephrine via an auto-injector  
64 mechanism, administration of CPR and use of an automated external  
65 defibrillator (AED).

66 **SECTION 2.** All public school districts shall comply with all  
67 provisions of this act. Each school in every school district  
68 shall have, in each educational building, central administrative  
69 office and cafeteria, an epinephrine auto-injector and an AED,  
70 which is stored in a secure and easily accessible location within  
71 each respective building to be used by a licensed medical  
72 professional or trained designee for use in the event of an  
73 emergency anaphylactic reaction or cardiac arrest.

74 **SECTION 3.** (1) Each school district shall adopt and  
75 implement a policy regarding the maintenance, storage,  
76 administration and disposal of epinephrine auto-injectors, and the



77 maintenance, storage, testing and use of automated external  
78 defibrillators (AEDs), on the institution's campus.

79 (2) The adopted policy must provide:

80 (a) That licensed medical professionals or school  
81 personnel under the guidance of a licensed medical professional  
82 who are authorized and trained may administer an epinephrine  
83 auto-injector to or use an AED, when the designee in good faith  
84 believes that an individual is reasonably believed to be  
85 experiencing anaphylaxis or severe cardiac arrest on the school  
86 premises;

87 (b) That licensed medical professionals or school  
88 personnel under the guidance of a licensed medical professional  
89 who are authorized and trained may administer an epinephrine  
90 auto-injector to a person who is reasonably believed to be  
91 experiencing anaphylaxis, or use an AED on a person who is  
92 reasonably believed to be experiencing severe cardiac arrest at an  
93 off-campus event or while in transit to or from an off-campus  
94 event sponsored by the school district;

95 (c) Permit a trained designee to carry in a secure but  
96 easily accessible location a supply of epinephrine auto-injectors  
97 that is prescribed under a standing protocol from a licensed  
98 physician;

99 (d) That the licensed medical professional shall have  
100 responsibility for training designees in the:



101 (i) Administration of epinephrine via an  
102 auto-injector mechanism;  
103 (ii) Distributing prescribed epinephrine  
104 auto-injectors to trained designees; and  
105 (iii) Proper administration of CPR and use of an  
106 AED; and

107 (e) That a physician, physician assistant, advanced  
108 practice nurse, registered nurse or school nurse who is  
109 appropriately licensed by the State of Mississippi shall be  
110 designated to serve as the licensed medical professional,  
111 authorized to:

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

115 (ii) Ensure that trained designees have  
116 satisfactorily completed the training protocol;

117 (iii) Obtain a supply of epinephrine  
118 auto-injectors under a standing protocol from a licensed  
119 physician; and

120 (iv) Control distribution to trained designees of  
121 epinephrine auto-injectors.

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

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



124 (b) Have, or reasonably expect to have, responsibility  
125 for students and other persons as a result of the individual's  
126 occupational or volunteer status; and

127 (c) Have satisfactorily completed a standardized  
128 training protocol established and administered by a licensed  
129 medical professional in accordance with guidelines developed by  
130 the State Department of Health, in consultation with the State  
131 Superintendent of Public Education, in accordance with Section 4  
132 of this act.

133 **SECTION 4.** The State Department of Health, in consultation  
134 with the State Superintendent of Public Education, shall establish  
135 guidelines for the development of a policy by local school  
136 districts for the emergency administration of epinephrine to  
137 students, school personnel and other persons for anaphylaxis, the  
138 administration of CPR and the emergency use of an AED on a  
139 student, school personnel or other person in cardiac arrest when a  
140 medical professional is not available. The guidelines shall  
141 address issues including, but not be limited to, the  
142 responsibilities of the school district, the licensed medical  
143 professional and the trained designee for the emergency  
144 administration of epinephrine, administration of CPR and use of an  
145 AED. The department shall disseminate the guidelines to the  
146 superintendent of each public school district.

147 **SECTION 5.** (1) The State Department of Health shall adopt  
148 rules regarding the maintenance, storage, administration and



149 disposal of an epinephrine auto-injector, and the maintenance,  
150 storage, testing and use of AEDs in schools subject to a policy  
151 adopted under Section 3 of this act. The rules must establish:

152 (a) The number of epinephrine auto-injectors and AEDs  
153 available at each school;

154 (b) The process to be used by each school district to  
155 check the inventory of epinephrine auto-injectors and AEDs at  
156 regular intervals for expiration and replacement and, in the case  
157 of AEDs, testing; and

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

161 (2) No licensed medical professional, trained designee, or  
162 physician providing a prescription under a standing protocol for  
163 epinephrine in accordance with this act, shall be held liable for  
164 any good faith act or omission committed in accordance with the  
165 provisions of this act. Good faith shall not include willful  
166 misconduct, gross negligence or recklessness.

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

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

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



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

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

