

By: Representative Paden

To: Public Health and Human Services; Appropriations

HOUSE BILL NO. 205

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 PERSONS 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, 2023.

