

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on **Education** recommends **SB 62** be amended on page 1, following line 6, by inserting:

"Section 1. K.S.A. 65-1680 is hereby amended to read as follows: 65-1680. The state board of pharmacy may adopt any rules and regulations ~~which that~~ the board deems necessary in relation to the maintenance of epinephrine kits and albuterol kits under K.S.A. 72-6483, and amendments thereto.

Sec. 2. K.S.A. 65-2872b is hereby amended to read as follows: 65-2872b. (a) The practice of the healing arts shall not be construed to include any person administering epinephrine, or any school nurse or nurse's designee administering albuterol, in emergency situations to a student or a member of a school staff if:

(1) (A) The person administering the epinephrine reasonably believes that the student or staff member is exhibiting the signs and symptoms of an anaphylactic reaction; or

(B) the school nurse or nurse's designee administering the albuterol reasonably believes that the individual is exhibiting the signs and symptoms of respiratory distress;

(2) a physician has authorized, in writing, the school to maintain a stock supply of epinephrine or albuterol; and

(3) the epinephrine or albuterol is administered at school, on school property or at a school-sponsored event.

(b) Any person who gratuitously and in good faith renders emergency care or treatment through the administration of epinephrine, or any school nurse or nurse's designee who

gratuitously and in good faith renders emergency care or treatment through the administration of albuterol, to a student or a member of a school staff at school, on school property or at a school-sponsored event shall not be held liable for any civil damages as a result of such care or administration or as a result of any act or failure to act in providing or arranging further medical treatment where the person acts as an ordinary reasonably prudent person would have acted under the same or similar circumstances.";

On page 3, following line 23, by inserting:

"Sec. 5. K.S.A. 72-6283 is hereby amended to read as follows: 72-6283. (a) Any accredited school may maintain an epinephrine kit. An epinephrine kit may consist of one or more doses of epinephrine. Epinephrine from an epinephrine kit shall be used only in emergency situations when the person administering the epinephrine reasonably believes that the signs and symptoms of an anaphylactic reaction are occurring and if administered at school, on school property or at a school-sponsored event. A school may not maintain an epinephrine kit unless the school has consulted with a pharmacist licensed by the state board of pharmacy. The consultant pharmacist shall have supervisory responsibility for maintaining the epinephrine kit. The consultant pharmacist shall be responsible for developing procedures, proper control and accountability for the epinephrine kit. Periodic physical inventory of the epinephrine kit shall be required. An epinephrine kit shall be maintained under the control of the consultant pharmacist.

(b) Any accredited school may maintain an albuterol kit. An albuterol kit may consist of one or more albuterol metered-dose inhalers, one or more doses of albuterol solution and one or more spacers or nebulizers for the administration of albuterol. Albuterol from an albuterol kit shall be used only in emergency situations when a school nurse or nurse's designee administering the albuterol reasonably believes that the signs and symptoms of respiratory distress are occurring at school, on school property or at a school-sponsored event. A school may not

maintain an albuterol kit unless the school has consulted with a pharmacist licensed by the state board of pharmacy. The consultant pharmacist shall have supervisory responsibility for maintaining the albuterol kit. The consultant pharmacist shall be responsible for developing procedures, proper control and accountability for the albuterol kit. Periodic physical inventory of the albuterol kit shall be required. An albuterol kit shall be maintained under the control of the consultant pharmacist."

Also on page 3, in line 24, after "K.S.A." by inserting "65-1680, 65-2872b,"; also in line 24, by striking "and" and inserting a comma; also in line 24, after "72-6242" by inserting "and 72-6283";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "authorizing schools to maintain albuterol kits for emergency use;"; also in line 3, after "K.S.A." by inserting "65-1680, 65-2872b,"; also in line 3, by striking "and" and inserting a comma; also in line 3, after "72-6242" by inserting "and 72-6283"; and the bill be passed as amended.

Chairperson