

# HOUSE BILL 86

F1  
HB 266/23 – W&M

(PRE-FILED)

4r0815  
CF SB 180

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By: **Delegates Boyce, Lehman, McCaskill, and Ruth**

Requested: October 3, 2023

Introduced and read first time: January 10, 2024

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public and Nonpublic Schools – Auto-Injectable Epinephrine and**  
3 **Bronchodilators – Use, Availability, Training, and Policies**

4 FOR the purpose of requiring each county board of education and authorizing nonpublic  
5 schools in the State to update their policies to require certain school nurses and other  
6 school personnel to complete certain training before they are authorized to  
7 administer auto-injectable epinephrine to a student who is determined to be, or is  
8 perceived to be, in anaphylaxis; requiring the State Department of Education, in  
9 consultation with certain groups, to identify or develop training for certain school  
10 personnel to identify symptoms of anaphylaxis, asthma, and respiratory distress in  
11 students; requiring each county board and authorizing nonpublic schools in the State  
12 to establish a policy to obtain, administer, and train certain school nurses and other  
13 school personnel to administer in emergency situations bronchodilators to a student  
14 who is determined to have asthma, is experiencing asthma-related symptoms, or is  
15 perceived to be in respiratory distress by a school nurse or any other school  
16 personnel; and generally relating to use and availability of auto-injectable  
17 epinephrine and bronchodilators in public and nonpublic schools in the State.

18 BY repealing and reenacting, with amendments,  
19 Article – Education  
20 Section 7-426.2 and 7-426.3  
21 Annotated Code of Maryland  
22 (2022 Replacement Volume and 2023 Supplement)

23 BY adding to  
24 Article – Education  
25 Section 7-426.6 and 7-426.7  
26 Annotated Code of Maryland  
27 (2022 Replacement Volume and 2023 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
2 That the Laws of Maryland read as follows:

3 **Article – Education**

4 7–426.2.

5 (a) (1) In this section the following words have the meanings indicated.

6 (2) “Anaphylaxis” means a sudden, severe, and potentially life–threatening  
7 allergic reaction that occurs when an individual is exposed to an allergen.

8 (3) “Auto–injectable epinephrine” means a portable, disposable drug  
9 delivery device that contains a premeasured single dose of epinephrine that is used to treat  
10 anaphylaxis in an emergency situation.

11 (b) Each county board shall establish a policy for public schools within its  
12 jurisdiction to authorize the school nurse and other school personnel to administer  
13 auto–injectable epinephrine, if available, to a student who is determined **BY AN**  
14 **INDIVIDUAL WHO HAS UNDERGONE THE TRAINING PROVIDED UNDER SUBSECTION**  
15 **(C) OF THIS SECTION, IF AVAILABLE,** to be or perceived to be in anaphylaxis, regardless  
16 of whether the student:

17 (1) Has been identified as having an anaphylactic allergy, as defined in §  
18 7–426.1 of this subtitle; or

19 (2) Has [a prescription for] **BEEN PRESCRIBED** epinephrine [as  
20 prescribed] by an authorized licensed health care practitioner under the Health  
21 Occupations Article.

22 (c) **(1) THE DEPARTMENT, IN CONSULTATION WITH THE MARYLAND**  
23 **DEPARTMENT OF HEALTH, THE AMERICAN LUNG ASSOCIATION, AND THE ASTHMA**  
24 **AND ALLERGY FOUNDATION OF AMERICA, SHALL IDENTIFY OR DEVELOP TRAINING**  
25 **TO:**

26 **(I) IDENTIFY THE SYMPTOMS OF ASTHMA AND RESPIRATORY**  
27 **DISTRESS;**

28 **(II) IDENTIFY THE SYMPTOMS OF ANAPHYLAXIS; AND**

29 **(III) DISTINGUISH BETWEEN ANAPHYLAXIS AND ASTHMA OR**  
30 **RESPIRATORY DISTRESS.**

31 **(2) THE TRAINING IDENTIFIED OR DEVELOPED UNDER PARAGRAPH**  
32 **(1) OF THIS SUBSECTION SHALL BE PROVIDED TO SCHOOL NURSES AND VOLUNTARY**  
33 **SCHOOL PERSONNEL WHO ARE DESIGNATED BY A SCHOOL NURSE AND, IN THE**

1 CLINICAL JUDGMENT OF THE SCHOOL NURSE, ARE APPROPRIATE RECIPIENTS OF  
2 THE TRAINING.

3 (3) THE TRAINING PROVIDED UNDER THIS SUBSECTION SHALL BE A  
4 PAID PROFESSIONAL DEVELOPMENT TRAINING.

5 (D) The policy established under subsection (b) of this section shall include:

6 (1) [Training for school personnel on how to recognize the symptoms of  
7 anaphylaxis] THE TRAINING IDENTIFIED OR DEVELOPED UNDER SUBSECTION (C) OF  
8 THIS SECTION;

9 (2) Procedures for the emergency administration of auto-injectable  
10 epinephrine BY A SCHOOL NURSE OR DESIGNATED VOLUNTEER;

11 (3) The proper follow-up emergency procedures;

12 (4) A provision authorizing a school nurse to obtain and store at a public  
13 school auto-injectable epinephrine to be used in an emergency situation; and

14 (5) A requirement that each public school develop and implement a method  
15 for notifying the parents or guardians of students of the school's policy under this section  
16 at the beginning of each school year.

17 (E) (1) AN AUTHORIZED LICENSED HEALTH CARE PRACTITIONER MAY  
18 PROVIDE AUTO-INJECTABLE EPINEPHRINE TO A SCHOOL NURSE OR DESIGNATED  
19 VOLUNTEER FOR USE IN ACCORDANCE WITH THIS SECTION.

20 (2) AUTO-INJECTABLE EPINEPHRINE USED UNDER THIS SECTION  
21 MUST BE FROM A LICENSED PHARMACY OR MANUFACTURER.

22 (3) A COUNTY BOARD OR PUBLIC SCHOOL MAY ACCEPT DONATED  
23 AUTO-INJECTABLE EPINEPHRINE FROM A LICENSED PHARMACY OR  
24 MANUFACTURER.

25 (4) A COUNTY BOARD MAY APPLY FOR GRANTS TO OBTAIN FUNDING  
26 FOR THE PURCHASE OF AUTO-INJECTABLE EPINEPHRINE FROM A LICENSED  
27 PHARMACY OR MANUFACTURER.

28 [(d)] (F) Except for any willful or grossly negligent act, a school nurse or other  
29 school personnel who respond in good faith to the anaphylactic reaction of a child in  
30 accordance with this section may not be held personally liable for any act or omission in the  
31 course of responding to the reaction.

32 [(e)] (G) (1) Each public school shall submit, on the form that the Department

1 requires, a report to the Department on each incident at the school or at a related school  
2 event that required the use of auto-injectable epinephrine.

3 (2) The Department shall develop and disseminate a standard form to  
4 report each incident requiring the use of auto-injectable epinephrine at a public school.

5 7-426.3.

6 (a) (1) In this section the following words have the meanings indicated.

7 (2) “Anaphylaxis” means a sudden, severe, and potentially life-threatening  
8 allergic reaction that occurs when an individual is exposed to an allergen.

9 (3) “Auto-injectable epinephrine” means a portable, disposable drug  
10 delivery device that contains a premeasured single dose of epinephrine that is used to treat  
11 anaphylaxis in an emergency situation.

12 (4) “School personnel” means individuals who are employed by a nonpublic  
13 school, including part-time employees, teachers and substitute teachers employed by the  
14 school for at least 7 days each school year, a school nurse, registered nurse case manager,  
15 delegating nurse, and administrative staff.

16 (b) Each nonpublic school in the State may establish a policy authorizing school  
17 personnel to administer auto-injectable epinephrine, if available, to a student who is  
18 determined **BY AN INDIVIDUAL WHO HAS UNDERGONE THE TRAINING PROVIDED**  
19 **UNDER § 7-426.2(C) OF THIS SUBTITLE, IF AVAILABLE,** to be or perceived to be in  
20 anaphylaxis, regardless of whether the student:

21 (1) Has been identified as having an anaphylactic allergy, as defined in §  
22 7-426.1 of this subtitle; or

23 (2) Has [a prescription for] **BEEN PRESCRIBED** epinephrine [as  
24 prescribed] by an authorized licensed health care practitioner under the Health  
25 Occupations Article.

26 (c) The policy established under subsection (b) of this section shall include:

27 (1) [Training for school personnel on how to recognize the signs and  
28 symptoms of anaphylaxis by a licensed health care practitioner who is authorized to  
29 administer auto-injectable epinephrine and who has been trained in an established  
30 protocol on how to recognize the signs and symptoms of anaphylaxis] **THE TRAINING**  
31 **IDENTIFIED OR DEVELOPED UNDER § 7-426.2(C) OF THIS SUBTITLE FOR SCHOOL**  
32 **NURSES AND VOLUNTARY SCHOOL PERSONNEL WHO ARE DESIGNATED BY A SCHOOL**  
33 **NURSE AND, IN THE CLINICAL JUDGMENT OF THE SCHOOL NURSE, ARE**  
34 **APPROPRIATE RECIPIENTS OF THE TRAINING;**

1 (2) Procedures for the emergency administration of auto-injectable  
2 epinephrine **BY A SCHOOL NURSE OR DESIGNATED VOLUNTEER;**

3 (3) The proper follow-up emergency procedures;

4 (4) A provision authorizing a school nurse or other licensed health care  
5 practitioner to obtain and, school personnel to store, at a nonpublic school auto-injectable  
6 epinephrine to be used in an emergency situation;

7 (5) A requirement that the nonpublic school develop and implement a  
8 method for notifying the parents or guardians of students of the school's policy under this  
9 section at the beginning of each school year; and

10 (6) An ongoing process for oversight and monitoring by a licensed health  
11 care practitioner of the implementation of the policy established under subsection (b) of this  
12 section.

13 **(D) (1) AN AUTHORIZED LICENSED HEALTH CARE PRACTITIONER MAY**  
14 **PROVIDE AUTO-INJECTABLE EPINEPHRINE TO A SCHOOL NURSE OR DESIGNATED**  
15 **VOLUNTEER FOR USE IN ACCORDANCE WITH THIS SECTION.**

16 **(2) AUTO-INJECTABLE EPINEPHRINE USED UNDER THIS SECTION**  
17 **MUST BE FROM A LICENSED PHARMACY OR MANUFACTURER.**

18 **(3) A NONPUBLIC SCHOOL MAY ACCEPT DONATED AUTO-INJECTABLE**  
19 **EPINEPHRINE FROM A LICENSED PHARMACY OR MANUFACTURER.**

20 **(4) A NONPUBLIC SCHOOL MAY APPLY FOR GRANTS TO OBTAIN**  
21 **FUNDING FOR THE PURCHASE OF AUTO-INJECTABLE EPINEPHRINE FROM A**  
22 **LICENSED PHARMACY OR MANUFACTURER.**

23 **[(d)] (E)** Except for any willful or grossly negligent act, school personnel who  
24 respond in good faith to the anaphylactic reaction of a child in accordance with this section  
25 may not be held personally liable for any act or omission in the course of responding to the  
26 reaction.

27 **7-426.6.**

28 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
29 **INDICATED.**

30 **(2) "ASTHMA" MEANS A CHRONIC LUNG DISEASE THAT INFLAMES**  
31 **AND NARROWS AIR PASSAGES, CAUSING RECURRING PERIODS OF WHEEZING, CHEST**  
32 **TIGHTNESS, SHORTNESS OF BREATH, AND COUGHING.**

1           **(3) “BRONCHODILATOR” MEANS MEDICATION THAT RELAXES**  
2 **BRONCHIAL MUSCLES, RESULTING IN THE EXPANSION OF BRONCHIAL AIR**  
3 **PASSAGES TO PROVIDE FAST TREATMENT OF ASTHMA-RELATED SYMPTOMS AND**  
4 **SYMPTOMS OF RESPIRATORY DISTRESS.**

5           **(4) “SCHOOL PERSONNEL” MEANS INDIVIDUALS WHO ARE EMPLOYED**  
6 **BY A PUBLIC SCHOOL, INCLUDING PART-TIME EMPLOYEES, TEACHERS AND**  
7 **SUBSTITUTE TEACHERS EMPLOYED BY THE SCHOOL FOR AT LEAST 7 DAYS EACH**  
8 **SCHOOL YEAR, REGISTERED NURSE CASE MANAGERS, DELEGATING NURSES, AND**  
9 **ADMINISTRATIVE STAFF.**

10           **(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**  
11 **EACH COUNTY BOARD SHALL ESTABLISH A POLICY FOR PUBLIC SCHOOLS WITHIN ITS**  
12 **JURISDICTION TO AUTHORIZE THE SCHOOL NURSE AND OTHER SCHOOL PERSONNEL**  
13 **TO ADMINISTER A BRONCHODILATOR TO A STUDENT WHO IS DETERMINED BY AN**  
14 **INDIVIDUAL WHO HAS UNDERGONE THE TRAINING PROVIDED UNDER SUBSECTION**  
15 **(C) OF THIS SECTION TO HAVE ASTHMA, IS EXPERIENCING ASTHMA-RELATED**  
16 **SYMPTOMS, OR IS PERCEIVED TO BE IN RESPIRATORY DISTRESS, REGARDLESS OF**  
17 **WHETHER THE STUDENT:**

18                   **(I) HAS BEEN DIAGNOSED WITH ASTHMA OR REACTIVE AIRWAY**  
19 **DISEASE; OR**

20                   **(II) HAS BEEN PRESCRIBED A BRONCHODILATOR BY AN**  
21 **AUTHORIZED LICENSED HEALTH CARE PRACTITIONER UNDER THE HEALTH**  
22 **OCCUPATIONS ARTICLE.**

23           **(2) NEITHER A SCHOOL NURSE NOR ANY OTHER SCHOOL PERSONNEL**  
24 **MAY ADMINISTER A BRONCHODILATOR TO A PREKINDERGARTEN STUDENT UNLESS**  
25 **THE STUDENT HAS BEEN DIAGNOSED WITH ASTHMA OR A REACTIVE AIRWAY DISEASE**  
26 **AND HAS A PRESCRIPTION FOR A BRONCHODILATOR AS PRESCRIBED BY THE**  
27 **STUDENT’S HEALTH CARE PRACTITIONER.**

28           **(C) (1) THE TRAINING IDENTIFIED OR DEVELOPED UNDER § 7-426.2(C)**  
29 **OF THIS SUBTITLE SHALL BE PROVIDED TO SCHOOL NURSES AND VOLUNTARY**  
30 **SCHOOL PERSONNEL WHO ARE DESIGNATED BY A SCHOOL NURSE AND, IN THE**  
31 **CLINICAL JUDGMENT OF THE SCHOOL NURSE, ARE APPROPRIATE RECIPIENTS OF**  
32 **THE TRAINING.**

33                   **(2) THE TRAINING PROVIDED UNDER THIS SUBSECTION SHALL BE A**  
34 **PAID PROFESSIONAL DEVELOPMENT TRAINING.**

35           **(D) THE POLICY ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION**  
36 **SHALL INCLUDE:**

1           **(1) THE TRAINING REQUIRED UNDER SUBSECTION (C) OF THIS**  
2 **SECTION;**

3           **(2) PROCEDURES FOR THE EMERGENCY ADMINISTRATION OF A**  
4 **BRONCHODILATOR BY A SCHOOL NURSE OR DESIGNATED VOLUNTEER;**

5           **(3) THE PROPER FOLLOW-UP EMERGENCY PROCEDURES;**

6           **(4) A PROVISION AUTHORIZING A SCHOOL NURSE TO OBTAIN AND**  
7 **STORE AT A PUBLIC SCHOOL BRONCHODILATORS AND MODES OF DELIVERY,**  
8 **INCLUDING INHALERS WITH SPACERS, TO BE USED IN AN EMERGENCY SITUATION;**  
9 **AND**

10           **(5) A REQUIREMENT THAT EACH PUBLIC SCHOOL DEVELOP AND**  
11 **IMPLEMENT A METHOD FOR NOTIFYING THE PARENTS OR GUARDIANS OF STUDENTS**  
12 **OF THE SCHOOL'S POLICY UNDER THIS SECTION AT THE BEGINNING OF EACH**  
13 **SCHOOL YEAR.**

14           **(E) (1) AN AUTHORIZED LICENSED HEALTH CARE PRACTITIONER MAY**  
15 **PROVIDE BRONCHODILATORS TO A SCHOOL NURSE OR DESIGNATED VOLUNTEER**  
16 **FOR USE IN ACCORDANCE WITH THIS SECTION.**

17           **(2) BRONCHODILATORS AND MODES OF ADMINISTRATION,**  
18 **INCLUDING INHALERS WITH SPACERS, USED BY A SCHOOL NURSE OR ANY OTHER**  
19 **SCHOOL PERSONNEL MUST BE FROM A LICENSED PHARMACY OR MANUFACTURER.**

20           **(3) A COUNTY BOARD OR PUBLIC SCHOOL MAY ACCEPT DONATED**  
21 **BRONCHODILATORS AND MODES OF ADMINISTRATION, INCLUDING INHALERS WITH**  
22 **SPACERS, FROM A LICENSED PHARMACY OR MANUFACTURER.**

23           **(4) A COUNTY BOARD MAY APPLY FOR GRANTS TO OBTAIN FUNDING**  
24 **FOR THE PURCHASE OF BRONCHODILATORS AND MODES OF ADMINISTRATION,**  
25 **INCLUDING INHALERS WITH SPACERS.**

26           **(F) EXCEPT FOR ANY WILLFUL OR GROSSLY NEGLIGENT ACT, A SCHOOL**  
27 **NURSE OR ANY OTHER SCHOOL PERSONNEL WHO RESPOND IN GOOD FAITH TO THE**  
28 **ASTHMA ATTACK OR RESPIRATORY DISTRESS OF A CHILD IN ACCORDANCE WITH**  
29 **THIS SECTION MAY NOT BE HELD PERSONALLY LIABLE FOR ANY ACT OR OMISSION**  
30 **IN THE COURSE OF RESPONDING TO THE CHILD IN DISTRESS.**

31           **(G) (1) (I) FOR EACH INCIDENT AT THE SCHOOL OR AT A RELATED**  
32 **SCHOOL EVENT THAT REQUIRES THE USE OF A BRONCHODILATOR, EACH PUBLIC**  
33 **SCHOOL SHALL:**

1                   1. NOTIFY THE STUDENT'S PARENT OR LEGAL  
2 GUARDIAN OF THE INCIDENT; AND

3                   2. MAKE A RECORD OF THE INCIDENT, ON THE FORM  
4 THAT THE DEPARTMENT REQUIRES, AND FILE THE FORM IN THE STUDENT'S SCHOOL  
5 MEDICAL RECORD.

6                   (II) EACH PUBLIC SCHOOL SHALL SUBMIT TO THE  
7 DEPARTMENT A REPORT, ON THE FORM AND SCHEDULE REQUIRED BY THE  
8 DEPARTMENT, ON THE NUMBER OF INCIDENTS AT THE SCHOOL OR AT A RELATED  
9 SCHOOL EVENT THAT REQUIRED THE USE OF A BRONCHODILATOR.

10                  (2) THE DEPARTMENT SHALL DEVELOP AND DISSEMINATE  
11 STANDARD FORMS TO RECORD EACH INCIDENT AND REPORT INCIDENTS REQUIRING  
12 THE USE OF A BRONCHODILATOR AT A PUBLIC SCHOOL.

13 **7-426.7.**

14                  (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
15 INDICATED.

16                   (2) "ASTHMA" MEANS A CHRONIC LUNG DISEASE THAT INFLAMES  
17 AND NARROWS AIR PASSAGES, CAUSING RECURRING PERIODS OF WHEEZING, CHEST  
18 TIGHTNESS, SHORTNESS OF BREATH, AND COUGHING.

19                   (3) "BRONCHODILATOR" MEANS MEDICATION THAT RELAXES  
20 BRONCHIAL MUSCLES, RESULTING IN THE EXPANSION OF BRONCHIAL AIR  
21 PASSAGES TO PROVIDE FAST TREATMENT OF ASTHMA-RELATED SYMPTOMS AND  
22 SYMPTOMS OF RESPIRATORY DISTRESS.

23                   (4) "SCHOOL PERSONNEL" MEANS INDIVIDUALS WHO ARE EMPLOYED  
24 BY A NONPUBLIC SCHOOL, INCLUDING PART-TIME EMPLOYEES, TEACHERS AND  
25 SUBSTITUTE TEACHERS EMPLOYED BY THE SCHOOL FOR AT LEAST 7 DAYS EACH  
26 SCHOOL YEAR, REGISTERED NURSE CASE MANAGERS, DELEGATING NURSES, AND  
27 ADMINISTRATIVE STAFF.

28                  (B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,  
29 EACH NONPUBLIC SCHOOL IN THE STATE MAY ESTABLISH A POLICY AUTHORIZING  
30 THE SCHOOL NURSE AND OTHER SCHOOL PERSONNEL TO ADMINISTER A  
31 BRONCHODILATOR TO A STUDENT WHO IS DETERMINED BY AN INDIVIDUAL WHO HAS  
32 UNDERGONE THE TRAINING PROVIDED UNDER § 7-426.2(C) OF THIS SUBTITLE TO  
33 HAVE ASTHMA, IS EXPERIENCING ASTHMA-RELATED SYMPTOMS, OR IS PERCEIVED  
34 TO BE IN RESPIRATORY DISTRESS, REGARDLESS OF WHETHER THE STUDENT:



1                   **(I) HAS BEEN DIAGNOSED WITH ASTHMA OR REACTIVE AIRWAY**  
2 **DISEASE; OR**

3                   **(II) HAS BEEN PRESCRIBED A BRONCHODILATOR BY AN**  
4 **AUTHORIZED LICENSED HEALTH CARE PRACTITIONER UNDER THE HEALTH**  
5 **OCCUPATIONS ARTICLE.**

6                   **(2) A SCHOOL NURSE OR ANY OTHER SCHOOL PERSONNEL MAY NOT**  
7 **ADMINISTER A BRONCHODILATOR TO A PREKINDERGARTEN STUDENT UNLESS THE**  
8 **STUDENT HAS BEEN DIAGNOSED WITH ASTHMA OR A REACTIVE AIRWAY DISEASE**  
9 **AND HAS A PRESCRIPTION FOR A BRONCHODILATOR AS PRESCRIBED BY THE**  
10 **STUDENT'S HEALTH CARE PRACTITIONER.**

11                   **(C) THE POLICY ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION**  
12 **SHALL INCLUDE:**

13                   **(1) THE TRAINING IDENTIFIED OR DEVELOPED UNDER §**  
14 **7-426.2(C) OF THIS SUBTITLE FOR SCHOOL NURSES AND VOLUNTARY SCHOOL**  
15 **PERSONNEL WHO ARE DESIGNATED BY A SCHOOL NURSE AND, IN THE CLINICAL**  
16 **JUDGMENT OF THE SCHOOL NURSE, ARE APPROPRIATE RECIPIENTS OF THE**  
17 **TRAINING;**

18                   **(2) PROCEDURES FOR THE EMERGENCY ADMINISTRATION OF A**  
19 **BRONCHODILATOR BY A SCHOOL NURSE OR DESIGNATED VOLUNTEER;**

20                   **(3) THE PROPER FOLLOW-UP EMERGENCY PROCEDURES;**

21                   **(4) A PROVISION AUTHORIZING A SCHOOL NURSE OR ANY OTHER**  
22 **LICENSED HEALTH CARE PRACTITIONER TO OBTAIN, AND A SCHOOL NURSE OR ANY**  
23 **OTHER SCHOOL PERSONNEL TO STORE, AT A NONPUBLIC SCHOOL FOR USE IN AN**  
24 **EMERGENCY SITUATION BRONCHODILATORS AND MODES OF DELIVERY, INCLUDING**  
25 **INHALERS WITH SPACERS;**

26                   **(5) A REQUIREMENT THAT THE NONPUBLIC SCHOOL DEVELOP AND**  
27 **IMPLEMENT A METHOD FOR NOTIFYING THE PARENTS OR GUARDIANS OF STUDENTS**  
28 **OF THE SCHOOL'S POLICY UNDER THIS SECTION AT THE BEGINNING OF EACH**  
29 **SCHOOL YEAR; AND**

30                   **(6) AN ONGOING PROCESS FOR OVERSIGHT AND MONITORING BY A**  
31 **LICENSED HEALTH CARE PRACTITIONER OF THE IMPLEMENTATION OF THE POLICY**  
32 **ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION.**

33                   **(D) (1) AN AUTHORIZED LICENSED HEALTH CARE PRACTITIONER MAY**

1 PROVIDE BRONCHODILATORS TO A SCHOOL NURSE OR DESIGNATED VOLUNTEER  
2 FOR USE IN ACCORDANCE WITH THIS SECTION.

3 (2) BRONCHODILATORS AND MODES OF ADMINISTRATION,  
4 INCLUDING INHALERS WITH SPACERS, USED BY A SCHOOL NURSE OR ANY OTHER  
5 SCHOOL PERSONNEL MUST BE FROM A LICENSED PHARMACY OR MANUFACTURER.

6 (3) A NONPUBLIC SCHOOL MAY ACCEPT DONATED  
7 BRONCHODILATORS AND MODES OF ADMINISTRATION, INCLUDING INHALERS WITH  
8 SPACERS, FROM A LICENSED PHARMACY OR MANUFACTURER.

9 (4) A NONPUBLIC SCHOOL MAY APPLY FOR GRANTS TO OBTAIN  
10 FUNDING FOR THE PURCHASE OF BRONCHODILATORS AND MODES OF  
11 ADMINISTRATION, INCLUDING INHALERS WITH SPACERS.

12 (E) EXCEPT FOR ANY WILLFUL OR GROSSLY NEGLIGENT ACT, A SCHOOL  
13 NURSE OR ANY OTHER SCHOOL PERSONNEL WHO RESPOND IN GOOD FAITH TO THE  
14 ASTHMA ATTACK OR RESPIRATORY DISTRESS OF A CHILD IN ACCORDANCE WITH  
15 THIS SECTION MAY NOT BE HELD PERSONALLY LIABLE FOR ANY ACT OR OMISSION  
16 IN THE COURSE OF RESPONDING TO THE CHILD IN DISTRESS.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
18 1, 2024.