

SESSION OF 2020

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2488

As Recommended by House Committee on
Education

Brief*

HB 2488 would amend law related to the provision and administration of emergency medication for certain life-threatening conditions by school districts and accredited nonpublic schools (schools).

Distribution of Stock Supplies

The bill would allow pharmacists to distribute stock supplies of standard and pediatric doses of epinephrine and albuterol metered-dose inhalers, solutions, and spacers to schools pursuant to prescription by a physician or mid-level practitioner in the name of the school.

Treatment Eligibility

The bill would also expand who can receive school administration of epinephrine and albuterol from students and school staff to any individual at the school, on school property, or at a school event.

Regulation of Medication

The bill would remove the Board of Pharmacy's authority to adopt rules and regulations in relation to the maintenance of epinephrine kits and include the requirement that the prescribing physician or mid-level practitioner review the

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

school's policies and procedures before authorizing the school's maintenance of a supply of epinephrine and albuterol.

Civil Liability

The bill would shield pharmacists, physicians, or mid-level practitioners from civil liability regarding the prescription and distribution of stock supplies of epinephrine and albuterol to schools.

Definitions

The bill would define certain terms related to the bill, such as albuterol, epinephrine, and stock supply, among others.

Background

The bill was introduced by the House Committee on Education at the request of Representative Patton.

In the House Committee hearing, representatives of the Kansas School Nurses Organization and Olathe Public Schools provided proponent testimony. Proponents stated the bill would correct unintended consequences of prior legislation related to school administration of epinephrine. They also stated the addition of albuterol would help address school needs regarding students with asthma.

The Kansas Association of School Boards, the Kansas State Board of Pharmacy, and the Kansas Pharmacists Association provided written-only proponent testimony. No other testimony was provided.

According to the fiscal note prepared by the Division of the Budget on the bill, the Department of Education, Board of Healing Arts, and Board of Pharmacy state enactment of the bill would have no fiscal effect.