

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Jay R. Kaufman**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

**An Act relative to access to epinephrine in schools.**

PETITION OF:

NAME:

Jay R. Kaufman

DISTRICT/ADDRESS:

15th Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 2130 OF .]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand and Nine**

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**AN ACT RELATIVE TO ACCESS TO EPINEPHRINE IN SCHOOLS..**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 71 of the General Laws is hereby amended by striking out section 54B, as  
2 appearing in the 2002 Official Edition, and inserting in place thereof the following section:-

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4 Section 54B. Notwithstanding any general or special law to the contrary, the department of  
5 public health shall promulgate regulations governing the administration of medications,  
6 including psychotropic medications to children in school settings, in accordance with sections  
7 seven and nine of chapter ninety-four C. In developing such regulations, the department shall  
8 consult with the board of registration in nursing and the board of registration in medicine.

9

10 Notwithstanding any general or special law or regulation to the contrary, no school district shall  
11 prohibit students with asthma or other respiratory diseases from possessing and administering  
12 prescription inhalers or students with life-threatening allergies from possessing and  
13 administering epinephrine in accordance with department of public health regulations  
14 concerning students' self-administration of prescription medications.

15

16 A school district must allow storage of epinephrine in a secure but unlocked place, as determined  
17 by the school nurse, accessible only to authorized persons, located in every part of the school  
18 grounds where an allergic student is most at risk such as classrooms and lunchrooms.

19

20 Notwithstanding any general or special law or regulation to the contrary, no school district  
21 shall prohibit students with cystic fibrosis from possessing and administering prescription  
22 enzyme supplements in accordance with department of public health regulations concerning  
23 students' self-administration of prescription medications.

24

25 Notwithstanding any general or special law or regulation to the contrary, a school district shall  
26 not prohibit a student with diabetes from possessing and administering a glucose monitoring  
27 test and insulin delivery system, in accordance with department of public health regulations  
28 concerning a student's self-administration of a prescription medication.