

9334--B

I N   A S S E M B L Y

April 11, 2014

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Introduced by M. of A. NOLAN, ORTIZ, BENEDETTO, ROSENTHAL, ABINANTI, JACOBS, BRONSON, CLARK, COLTON, HOOPER, JAFFEE, MAGNARELLI, MARKEY, MAYER, MILLER, MILLMAN, MORELLE, MOSLEY, MOYA, O'DONNELL, OTIS, PEOPLES-STOKES, SIMANOWITZ, WEISENBERG, ZEBROWSKI -- Multi-Sponsored by -- M. of A. ABBATE, ARROYO, BRENNAN, GLICK, SCHIMEL, WRIGHT -- read once and referred to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to health services in schools

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Section 916 of the education law, as amended by chapter 524  
2     of the laws of 2006, is amended to read as follows:  
3     S 916. Pupils [afflicted] with asthma OR ANOTHER RESPIRATORY DISEASE  
4     REQUIRING RESCUE INHALER TREATMENT. 1. The board of education or trus-  
5     tees of each school district and board of cooperative educational  
6     services shall allow pupils who have been diagnosed by a physician or  
7     other duly authorized health care provider with [a severe] AN asthmatic  
8     condition OR ANOTHER RESPIRATORY DISEASE to carry and use a prescribed  
9     inhaler AND SELF-ADMINISTER INHALED RESCUE MEDICATIONS TO ALLEVIATE  
10    RESPIRATORY SYMPTOMS OR TO PREVENT THE ONSET OF EXERCISE INDUCED ASTH-  
11    MATIC SYMPTOMS during the school day ON SCHOOL PROPERTY AND AT ANY  
12    SCHOOL FUNCTION AS SUCH TERMS ARE DEFINED, RESPECTIVELY, BY SUBDIVISIONS  
13    ONE AND TWO OF SECTION ELEVEN OF THIS CHAPTER, with the written permis-  
14    sion of a physician or other duly authorized health care provider, and  
15    WRITTEN parental consent[, based on such physician's or provider's  
16    determination that such pupil is subject to sudden asthmatic attacks  
17    severe enough to debilitate such pupil]. THE WRITTEN PERMISSION SHALL  
18    INCLUDE AN ATTESTATION BY THE PHYSICIAN OR THE HEALTH CARE PROVIDER  
19    CONFIRMING THE FOLLOWING: (A) THE PUPIL IS DIAGNOSED WITH ASTHMA OR  
20    ANOTHER RESPIRATORY DISEASE FOR WHICH INHALED RESCUE MEDICATIONS ARE

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 PRESCRIBED TO ALLEVIATE RESPIRATORY SYMPTOMS OR TO PREVENT THE ONSET OF  
2 EXERCISE INDUCED ASTHMATIC SYMPTOMS; AND (B) THAT THE PUPIL HAS DEMON-  
3 STRATED THAT HE OR SHE CAN SELF-ADMINISTER THE PRESCRIBED INHALED RESCUE  
4 MEDICATION EFFECTIVELY. THE WRITTEN PERMISSION SHALL ALSO INCLUDE THE  
5 NAME OF THE PRESCRIBED INHALED RESCUE MEDICATION, THE DOSE, THE TIMES  
6 WHEN THE MEDICATION IS TO BE TAKEN, THE CIRCUMSTANCES WHICH MAY WARRANT  
7 THE USE OF THE MEDICATION AND THE LENGTH OF TIME FOR WHICH THE INHALER  
8 IS PRESCRIBED. A record of such CONSENT AND permission shall be main-  
9 tained in the [school office] STUDENT'S CUMULATIVE HEALTH RECORD. In  
10 addition, upon the written request of a parent or person in parental  
11 relation, the board of education or trustees of a school district and  
12 board of cooperative educational services shall allow such pupils to  
13 maintain an extra such inhaler in the care and custody of a [registered  
14 professional] LICENSED nurse, NURSE PRACTITIONER, PHYSICIAN ASSISTANT,  
15 OR PHYSICIAN employed by such district or board of cooperative educa-  
16 tional services, AND SHALL BE READILY ACCESSIBLE TO SUCH PUPIL. Nothing  
17 in this section shall require a school district or board of cooperative  
18 educational services to retain a [school nurse solely for the purpose of  
19 taking custody of a spare inhaler, or require that a school nurse be  
20 available at all times in a school building for such purpose] LICENSED  
21 NURSE, NURSE PRACTITIONER, PHYSICIAN ASSISTANT, OR PHYSICIAN SOLELY FOR  
22 THE PURPOSE OF TAKING CUSTODY OF A SPARE INHALER FOR THE TREATMENT OF  
23 ASTHMA OR A RESPIRATORY DISEASE REQUIRING RESCUE MEDICATION TREATMENT,  
24 OR REQUIRE THAT A LICENSED NURSE, NURSE PRACTITIONER, PHYSICIAN ASSIST-  
25 ANT, OR PHYSICIAN BE AVAILABLE AT ALL TIMES IN A SCHOOL BUILDING FOR THE  
26 PURPOSE OF TAKING CUSTODY OF THE INHALER. IN ADDITION, THE MEDICATION  
27 PROVIDED BY THE PUPIL'S PARENTS OR PERSONS IN PARENTAL RELATION SHALL BE  
28 MADE AVAILABLE TO THE PUPIL AS NEEDED IN ACCORDANCE WITH THE SCHOOL  
29 DISTRICT'S OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES' POLICY AND THE  
30 ORDERS PRESCRIBED IN THE WRITTEN PERMISSION OF THE PHYSICIAN OR OTHER  
31 AUTHORIZED HEALTH CARE PROVIDER.

32 2. A SCHOOL DISTRICT, BOARD OF COOPERATIVE EDUCATIONAL SERVICES AND/OR  
33 THEIR AGENTS OR EMPLOYEES SHALL INCUR NO LEGAL OR FINANCIAL LIABILITY AS  
34 A RESULT OF ANY HARM OR INJURY SUSTAINED BY A PUPIL OR OTHER PERSON  
35 CAUSED BY REASONABLE AND GOOD FAITH COMPLIANCE WITH THIS SECTION.

36 S 2. The education law is amended by adding five new sections 916-a,  
37 916-b, 902-a, 902-b and 921 to read as follows:

38 S 916-A. PUPILS WITH ALLERGIES. 1. THE BOARD OF EDUCATION OR TRUSTEES  
39 OF EACH SCHOOL DISTRICT AND BOARD OF COOPERATIVE EDUCATIONAL SERVICES  
40 SHALL ALLOW PUPILS WHO HAVE BEEN DIAGNOSED BY A PHYSICIAN OR OTHER DULY  
41 AUTHORIZED HEALTH CARE PROVIDER WITH AN ALLERGY TO CARRY AND USE A  
42 PRESCRIBED EPINEPHRINE AUTO INJECTOR FOR THE EMERGENCY TREATMENT OF  
43 ALLERGIC REACTIONS DURING THE SCHOOL DAY ON SCHOOL PROPERTY AND AT ANY  
44 SCHOOL FUNCTION AS SUCH TERMS ARE DEFINED, RESPECTIVELY, BY SUBDIVISIONS  
45 ONE AND TWO OF SECTION ELEVEN OF THIS CHAPTER, WITH THE WRITTEN PERMIS-  
46 SION OF A PHYSICIAN OR OTHER DULY AUTHORIZED HEALTH PROVIDER, AND WRIT-  
47 TEN PARENTAL CONSENT. THE WRITTEN PERMISSION SHALL INCLUDE AN ATTESTA-  
48 TION BY THE PHYSICIAN OR THE HEALTH CARE PROVIDER CONFIRMING THE  
49 FOLLOWING: (A) THE PUPIL'S DIAGNOSIS OF AN ALLERGY FOR WHICH AN EPINEPH-  
50 RINE AUTO INJECTOR IS NEEDED; AND (B) THAT THE PUPIL HAS DEMONSTRATED  
51 THAT HE OR SHE CAN SELF-ADMINISTER THE PRESCRIBED EPINEPHRINE AUTO  
52 INJECTOR EFFECTIVELY. THE WRITTEN PERMISSION SHALL ALSO INCLUDE THE  
53 CIRCUMSTANCES WHICH MAY WARRANT THE USE OF THE EPINEPHRINE AUTO INJEC-  
54 TOR. A RECORD OF SUCH CONSENT AND PERMISSION SHALL BE MAINTAINED IN THE  
55 STUDENT'S CUMULATIVE HEALTH RECORD. IN ADDITION, UPON THE WRITTEN  
56 REQUEST OF A PARENT OR PERSON IN PARENTAL RELATION, THE BOARD OF EDUCA-

1 TION OR TRUSTEES OF A SCHOOL DISTRICT AND BOARD OF COOPERATIVE EDUCA-  
2 TIONAL SERVICES SHALL ALLOW SUCH PUPILS TO MAINTAIN AN EXTRA EPINEPHRINE  
3 AUTO INJECTOR FOR THE EMERGENCY TREATMENT OF ALLERGIES IN THE CARE AND  
4 CUSTODY OF LICENSED NURSE, NURSE PRACTITIONER, PHYSICIAN ASSISTANT, OR  
5 PHYSICIAN EMPLOYED BY SUCH DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL  
6 SERVICES, AND SHALL BE READILY ACCESSIBLE TO SUCH PUPIL. NOTHING IN  
7 THIS SECTION SHALL REQUIRE A SCHOOL DISTRICT OR BOARD OF COOPERATIVE  
8 EDUCATIONAL SERVICES TO RETAIN A LICENSED NURSE, NURSE PRACTITIONER,  
9 PHYSICIAN ASSISTANT, OR PHYSICIAN SOLELY FOR THE PURPOSE OF TAKING  
10 CUSTODY OF A SPARE EPINEPHRINE AUTO INJECTOR FOR THE EMERGENCY TREATMENT  
11 OF ALLERGIC REACTIONS, OR REQUIRE THAT A LICENSED NURSE, NURSE PRACTI-  
12 TIONER, PHYSICIAN ASSISTANT, OR PHYSICIAN BE AVAILABLE AT ALL TIMES IN A  
13 SCHOOL BUILDING FOR TAKING CUSTODY OF THE EPINEPHRINE AUTO INJECTOR. IN  
14 ADDITION, THE EPINEPHRINE AUTO INJECTOR PROVIDED BY THE PUPIL'S PARENTS  
15 OR PERSONS IN PARENTAL RELATION WILL BE MADE AVAILABLE TO THE PUPIL AS  
16 NEEDED IN ACCORDANCE WITH THE SCHOOL DISTRICT'S OR BOARD OF COOPERATIVE  
17 EDUCATIONAL SERVICES' POLICY AND THE ORDERS PRESCRIBED IN THE WRITTEN  
18 PERMISSION OF THE PHYSICIAN OR OTHER AUTHORIZED HEALTH CARE PROVIDER.

19 2. A SCHOOL DISTRICT, BOARD OF COOPERATIVE EDUCATIONAL SERVICES AND/OR  
20 THEIR AGENTS OR EMPLOYEES SHALL INCUR NO LEGAL OR FINANCIAL LIABILITY AS  
21 A RESULT OF ANY HARM OR INJURY SUSTAINED BY A PUPIL OR OTHER PERSON  
22 CAUSED BY REASONABLE AND GOOD FAITH COMPLIANCE WITH THIS SECTION.

23 S 916-B. PUPILS WITH DIABETES. 1. THE BOARD OF EDUCATION OR TRUSTEES  
24 OF EACH SCHOOL DISTRICT AND BOARD OF COOPERATIVE EDUCATIONAL SERVICES  
25 SHALL ALLOW PUPILS WHO HAVE BEEN DIAGNOSED WITH DIABETES TO CARRY GLUCA-  
26 GON AND CARRY AND USE INSULIN THROUGH APPROPRIATE MEDICATION DELIVERY  
27 DEVICES AND EQUIPMENT AND/OR TO CARRY AND USE EQUIPMENT AND SUPPLIES  
28 NECESSARY TO CHECK BLOOD GLUCOSE LEVELS AND KETONE LEVELS, AS PRESCRIBED  
29 BY A PHYSICIAN OR OTHER DULY AUTHORIZED HEALTHCARE PROVIDER, DURING THE  
30 SCHOOL DAY ON SCHOOL PROPERTY AND AT ANY SCHOOL FUNCTION AS SUCH TERMS  
31 ARE DEFINED, RESPECTIVELY, BY SUBDIVISIONS ONE AND TWO OF SECTION ELEVEN  
32 OF THIS CHAPTER, WITH PARENTAL CONSENT AND THE WRITTEN PERMISSION OF A  
33 PHYSICIAN OR OTHER DULY AUTHORIZED HEALTH CARE PROVIDER. THE WRITTEN  
34 PERMISSION SHALL INCLUDE AN ATTESTATION BY THE PHYSICIAN OR THE HEALTH  
35 CARE PROVIDER CONFIRMING THE FOLLOWING: (A) THE PUPIL'S DIAGNOSIS OF  
36 DIABETES MAKES THE DELIVERY OF INSULIN AND GLUCAGON THROUGH APPROPRIATE  
37 MEDICATION DELIVERY DEVICES DURING THE SCHOOL DAY ON SCHOOL PROPERTY OR  
38 AT ANY SCHOOL FUNCTION NECESSARY AND/OR MAKES THE USE OF EQUIPMENT AND  
39 SUPPLIES TO CHECK BLOOD GLUCOSE LEVELS AND KETONE LEVELS NECESSARY; AND  
40 (B) THAT THE PUPIL HAS DEMONSTRATED THAT HE OR SHE CAN SELF-ADMINISTER  
41 THE PRESCRIBED INSULIN EFFECTIVELY AND CAN SELF CHECK GLUCOSE OR KETONE  
42 LEVELS AND CAN INDEPENDENTLY FOLLOW THE TREATMENT ORDERS PRESCRIBED BY  
43 THE PHYSICIAN OR OTHER AUTHORIZED HEALTH CARE PROVIDER IN THE WRITTEN  
44 PERMISSION. THE WRITTEN PERMISSION SHALL IDENTIFY PRESCRIBED BLOOD  
45 GLUCOSE TESTS, KETONE TESTS, INSULIN AND GLUCAGON TO BE USED BY THE  
46 PUPIL AT SCHOOL AND/OR DURING SCHOOL FUNCTIONS. IF INSULIN OR GLUCAGON  
47 IS PRESCRIBED, THE WRITTEN PERMISSION SHALL INCLUDE THE NAME OF THE TYPE  
48 OF INSULIN, THE DOSE OR DOSE RANGE, THE TIMES WHEN THE MEDICATION IS TO  
49 BE TAKEN, THE TYPE OF INSULIN DELIVERY SYSTEM AND ANY OTHER INFORMATION  
50 PRESCRIBED BY THE COMMISSIONER IN REGULATION, AFTER CONSULTATION WITH  
51 THE COMMISSIONER OF HEALTH. A RECORD OF SUCH CONSENT AND PERMISSION  
52 SHALL BE MAINTAINED IN THE STUDENT'S CUMULATIVE HEALTH RECORD. IN ADDI-  
53 TION, UPON THE WRITTEN REQUEST OF A PARENT OR PERSON IN PARENTAL  
54 RELATION, THE BOARD OF EDUCATION OR TRUSTEES OF A SCHOOL DISTRICT AND  
55 BOARD OF COOPERATIVE EDUCATIONAL SERVICES SHALL ALLOW SUCH PUPILS TO  
56 MAINTAIN EXTRA INSULIN AND AN INSULIN DELIVERY SYSTEM, GLUCAGON, BLOOD

1 GLUCOSE METERS AND RELATED SUPPLIES USED TO TREAT SUCH PUPIL'S DIABETES  
2 IN THE CARE AND CUSTODY OF A LICENSED NURSE, NURSE PRACTITIONER, PHYSI-  
3 CIAN ASSISTANT, OR PHYSICIAN EMPLOYED BY SUCH DISTRICT OR BOARD OF COOP-  
4 ERATIVE EDUCATIONAL SERVICES, AND SHALL BE READILY ACCESSIBLE TO SUCH  
5 PUPIL. NOTHING IN THIS SECTION SHALL REQUIRE A SCHOOL DISTRICT OR BOARD  
6 OF COOPERATIVE EDUCATIONAL SERVICES TO RETAIN A LICENSED NURSE, NURSE  
7 PRACTITIONER, PHYSICIAN ASSISTANT, OR PHYSICIAN SOLELY FOR THE PURPOSE  
8 OF TAKING CUSTODY OF EXTRA INSULIN AND AN INSULIN DELIVERY SYSTEM,  
9 GLUCAGON, BLOOD GLUCOSE METERS AND RELATED SUPPLIES USED TO TREAT SUCH  
10 PUPIL'S DIABETES, OR REQUIRE THAT A LICENSED NURSE, NURSE PRACTITIONER,  
11 PHYSICIAN ASSISTANT, OR PHYSICIAN BE AVAILABLE AT ALL TIMES IN A SCHOOL  
12 BUILDING FOR THE PURPOSE OF TAKING CUSTODY OF EXTRA INSULIN AND AN INSU-  
13 LIN DELIVERY SYSTEM, GLUCAGON, BLOOD GLUCOSE METERS AND RELATED  
14 SUPPLIES. IN ADDITION, THE MEDICATION AND DEVICES, EQUIPMENT AND  
15 SUPPLIES PROVIDED BY THE PUPIL'S PARENTS OR PERSONS IN PARENTAL RELATION  
16 SHALL BE MADE AVAILABLE TO THE PUPIL AS NEEDED IN ACCORDANCE WITH THE  
17 SCHOOL DISTRICT'S OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES' POLICY  
18 AND THE ORDERS PRESCRIBED IN THE WRITTEN PERMISSION OF THE PHYSICIAN OR  
19 OTHER AUTHORIZED HEALTH CARE PROVIDER. PUPILS WITH DIABETES MAY ALSO  
20 CARRY ANY FOOD NECESSARY TO TREAT HYPOGLYCEMIA PURSUANT TO THE SCHOOL  
21 DISTRICT POLICY, PROVIDED, HOWEVER, SUCH SCHOOL DISTRICT POLICY SHALL  
22 NOT UNREASONABLY INTERFERE WITH A PUPIL'S ABILITY TO TREAT HYPOGLYCEMIA.

23 2. A SCHOOL DISTRICT, BOARD OF COOPERATIVE EDUCATIONAL SERVICES AND/OR  
24 THEIR AGENTS OR EMPLOYEES SHALL INCUR NO LEGAL OR FINANCIAL LIABILITY AS  
25 A RESULT OF ANY HARM OR INJURY SUSTAINED BY A PUPIL OR OTHER PERSON  
26 CAUSED BY REASONABLE AND GOOD FAITH COMPLIANCE WITH THIS SECTION.

27 S 902-A. TREATMENT OF STUDENTS DIAGNOSED WITH DIABETES BY SCHOOL  
28 PERSONNEL. 1. LICENSED NURSES, NURSE PRACTITIONERS, PHYSICIAN ASSIST-  
29 ANTS, OR PHYSICIANS EMPLOYED BY SCHOOL DISTRICTS OR BOARDS OF COOPER-  
30 ATIVE EDUCATIONAL SERVICES ARE AUTHORIZED TO CALCULATE PRESCRIBED INSU-  
31 LIN DOSAGES, ADMINISTER PRESCRIBED INSULIN, PROGRAM THE PRESCRIBED  
32 INSULIN PUMP, REFILL THE RESERVOIR IN THE INSULIN PUMP, CHANGE THE  
33 INFUSION SITE, INJECT PRESCRIBED GLUCAGON, TEACH AN UNLICENSED PERSON TO  
34 ADMINISTER GLUCAGON TO AN INDIVIDUAL, AND PERFORM OTHER AUTHORIZED  
35 SERVICES PURSUANT TO THE SCOPE OF PRACTICE OF THE LICENSED INDIVIDUAL  
36 UNDER TITLE VIII OF THIS CHAPTER, TO PUPILS WHO HAVE RECEIVED WRITTEN  
37 PERMISSION BY A PHYSICIAN OR OTHER LICENSED HEALTH CARE PROVIDER, AND  
38 WRITTEN PARENTAL CONSENT TO CARRY AND USE INSULIN AND GLUCAGON PURSUANT  
39 TO SECTION NINE HUNDRED SIXTEEN-B OF THIS ARTICLE, DURING THE SCHOOL DAY  
40 ON SCHOOL PROPERTY AND AT ANY SCHOOL FUNCTION AS SUCH TERMS ARE DEFINED,  
41 RESPECTIVELY, BY SUBDIVISIONS ONE AND TWO OF SECTION ELEVEN OF THIS  
42 CHAPTER. NOTHING IN THIS SECTION SHALL AUTHORIZE UNLICENSED PERSONS TO  
43 PERFORM THESE SERVICES EXCEPT AS OTHERWISE PERMITTED BY SECTION NINE  
44 HUNDRED TWENTY-ONE OF THIS ARTICLE.

45 2. A SCHOOL DISTRICT, BOARD OF COOPERATIVE EDUCATIONAL SERVICES AND/OR  
46 THEIR AGENTS OR EMPLOYEES SHALL INCUR NO LEGAL OR FINANCIAL LIABILITY AS  
47 A RESULT OF ANY HARM OR INJURY SUSTAINED BY A PUPIL OR OTHER PERSON  
48 CAUSED BY REASONABLE AND GOOD FAITH COMPLIANCE WITH THIS SECTION.

49 S 902-B. TREATMENT BY LICENSED SCHOOL PERSONNEL OF STUDENTS DIAGNOSED  
50 WITH ALLERGIES. 1. LICENSED NURSES, NURSE PRACTITIONERS, PHYSICIAN  
51 ASSISTANTS, OR PHYSICIANS EMPLOYED BY SCHOOLS ARE AUTHORIZED TO ADMINIS-  
52 TER PRESCRIBED EPINEPHRINE PURSUANT TO THE SCOPE OF PRACTICE OF THE  
53 LICENSED INDIVIDUAL UNDER TITLE VIII OF THIS CHAPTER, TO PUPILS DIAG-  
54 NOSED BY A PHYSICIAN OR OTHER DULY AUTHORIZED HEALTH CARE PROVIDER WITH  
55 AN ALLERGY WHO HAVE THE WRITTEN PERMISSION OF A PHYSICIAN OR OTHER DULY  
56 AUTHORIZED HEALTH CARE PROVIDER FOR THE ADMINISTRATION OF EMERGENCY

1 EPINEPHRINE AND WRITTEN PARENTAL CONSENT TO CARRY AND USE AN EPINEPHRINE  
2 AUTO INJECTOR PURSUANT TO SECTION NINE HUNDRED SIXTEEN-A OF THIS ARTI-  
3 CLE, DURING THE SCHOOL DAY ON SCHOOL PROPERTY AND AT ANY SCHOOL FUNCTION  
4 AS SUCH TERMS ARE DEFINED, RESPECTIVELY, BY SUBDIVISIONS ONE AND TWO OF  
5 SECTION ELEVEN OF THIS CHAPTER.

6 2. A SCHOOL DISTRICT, BOARD OF COOPERATIVE EDUCATIONAL SERVICES AND/OR  
7 THEIR AGENTS OR EMPLOYEES SHALL INCUR NO LEGAL OR FINANCIAL LIABILITY AS  
8 A RESULT OF ANY HARM OR INJURY SUSTAINED BY A PUPIL OR OTHER PERSON  
9 CAUSED BY REASONABLE AND GOOD FAITH COMPLIANCE WITH THIS SECTION.

10 S 921. TRAINING OF UNLICENSED SCHOOL PERSONNEL TO ADMINISTER CERTAIN  
11 MEDICATIONS. 1. THE BOARD OF EDUCATION OR TRUSTEES OF EACH SCHOOL  
12 DISTRICT AND BOARD OF COOPERATIVE EDUCATIONAL SERVICES AND NONPUBLIC  
13 SCHOOLS ARE AUTHORIZED, BUT NOT OBLIGATED TO HAVE LICENSED REGISTERED  
14 PROFESSIONAL NURSES, NURSE PRACTITIONERS, PHYSICIAN ASSISTANTS, AND  
15 PHYSICIANS TRAIN UNLICENSED SCHOOL PERSONNEL TO INJECT PRESCRIBED GLUCA-  
16 GON OR EPINEPHRINE AUTO INJECTORS IN EMERGENCY SITUATIONS, WHERE AN  
17 APPROPRIATELY LICENSED HEALTH PROFESSIONAL IS NOT AVAILABLE, TO PUPILS  
18 WHO HAVE THE WRITTEN PERMISSION OF A PHYSICIAN OR OTHER DULY AUTHORIZED  
19 HEALTH CARE PROVIDER FOR THE ADMINISTRATION OF INJECTABLE GLUCAGON OR  
20 EMERGENCY EPINEPHRINE AUTO INJECTOR, ALONG WITH WRITTEN PARENTAL  
21 CONSENT, DURING THE SCHOOL DAY ON SCHOOL PROPERTY AND AT ANY SCHOOL  
22 FUNCTION AS SUCH TERMS ARE DEFINED, RESPECTIVELY, BY SUBDIVISIONS ONE  
23 AND TWO OF SECTION ELEVEN OF THIS CHAPTER. TRAINING MUST BE PROVIDED BY  
24 A PHYSICIAN OR OTHER DULY AUTHORIZED LICENSED HEALTH CARE PROFESSIONAL  
25 IN A COMPETENT MANNER AND MUST BE COMPLETED IN A FORM AND MANNER  
26 PRESCRIBED BY THE COMMISSIONER IN REGULATION.

27 2. A SCHOOL DISTRICT, BOARD OF COOPERATIVE EDUCATIONAL SERVICES,  
28 NONPUBLIC SCHOOLS AND/OR THEIR AGENTS OR EMPLOYEES SHALL INCUR NO LEGAL  
29 OR FINANCIAL LIABILITY AS A RESULT OF ANY HARM OR INJURY SUSTAINED BY A  
30 PUPIL OR OTHER PERSON CAUSED BY REASONABLE AND GOOD FAITH COMPLIANCE  
31 WITH THIS SECTION.

32 S 3. This act shall take effect the first of July next succeeding the  
33 date on which it shall have become a law. Provided, that effective  
34 immediately, the addition, amendment and/or repeal of any rule or regu-  
35 lation necessary for the timely implementation of this act on its effec-  
36 tive date are authorized and directed to be made and completed on or  
37 before such effective date.