

CLIENT NEWS BRIEF

New Law Requires Epinephrine Auto-Injectors to be Provided to School Nurses and Trained Personnel

Governor Jerry Brown has signed Senate Bill (SB) 1266 into law, which requires school districts, county offices of education, and charter schools to provide emergency epinephrine auto-injectors (commonly known as "EpiPens") to school nurses or personnel who have volunteered and received the required training. Due to this change in the law, pharmacies may now furnish epinephrine auto-injectors to charter schools, as they already do to school districts and county offices of education. The new law amends Education Code section 49414 and authorizes school nurses or trained personnel to use epinephrine auto-injectors on persons suffering or reasonably believed to be suffering from anaphylactic shock.

This law imposes some noteworthy requirements. Epinephrine auto-injectors must be restocked before the expiration date and, if one is used, it must be replaced as soon as reasonably possible, but not later than two weeks after it is used. Districts, county offices of education, and charter schools must now distribute notices at least once per year requesting volunteers. The new law also provides protection for personnel who may use EpiPens by requiring the educational agency to defend and indemnify such personnel from any and all civil liability arising under this law. Lastly, if the Commission on State Mandates concludes that the bill imposes mandated costs, local agencies and school districts may be entitled to reimbursement for costs associated with implementing SB 1266.

If you have any questions regarding the implications of this legislation, or would like assistance in complying with these new requirements, please contact one of our [eight offices](#) located statewide. You can also visit our [website](#), follow us on [Facebook](#) or [Twitter](#), or download our [Client News Brief App](#).

September 2014
Number 66



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