Bill as Introduced

HB 1272 – AS INTRODUCED

2000 SESSION

00-2010
10/01

HOUSE BILL ***1272***

AN ACT allowing school nurses to possess and administer epinephrine for certain emergency treatment.

SPONSORS: Rep. Pilliod, Belk 3

COMMITTEE: Health, Human Services and Elderly Affairs

ANALYSIS

This bill removes the requirement that certain school nurses have parental authorization to possess epinephrine for certain emergency treatment in schools.

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

00-2010
10/01

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand

AN ACT allowing school nurses to possess and administer epinephrine for certain emergency treatment.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Possessing Prescription Drugs; School Nurses; Exception Expanded. Amend RSA 318:42, VII-a to read as follows:

VII-a. The possession and administration, with written parental authorization, of flu vaccine, immunizations, and mantoux tests for the purpose of disease prevention and tuberculosis screening[~~, and epinephrine for the emergency treatment of anaphylaxis~~] by registered nurses employed or contracted by public school systems. The possession and administration[~~, with written parental authorization,~~] of epinephrine for the emergency treatment of anaphylaxis by licensed practical nurses ***or registered nurses*** employed or contracted by public school systems.

2 Effective Date. This act shall take effect 60 days after its passage.

Committee Minutes

Date: April 11, 2000
Time: 1:00 PM
Room: LOB 102

The Senate Committee on Public Institutions/Health Human Services held a hearing on the following:

HB 1272 allowing school nurses to possess and administer epinephrine for certain emergency treatment.

Members of Committee present: Senator Squires
Senator Wheeler
Senator McCarley
Senator Pignatelli

The Chair, Senator James Squires, opened the hearing.

Representative James Pilliod, Belk. D. 3: Thank you Mr. Chairman. For the record my name is James Pilliod and I am representing Belknap District 3 and I'm the Prime Sponsor of the so-called epinephrine bill.

This was at a request from the school nurses. Very simply they are in a position of having sometimes emergency adrenaline on hand because it was written by a physician for use by a specific student but they couldn't use it for somebody else where there might be a sudden anaphylactic shock. So, as an effort to solve this problem we tried to write a very simple change in the rules which said that the nurse could possess and administer and left out only with *"parental permission"* because this was not a family that knew their child was allergic to something and therefore had the adrenaline written as a prescription by a physician and was in her hands. She could use it under those circumstances with that student but she couldn't use it for any other students. So, we said alright what do we do about it? Well, she has to have it freely available to her in the school and she has to have the right to possess it. To make it very simple, we simply said that we would take out the first piece and then take out the *"written parental authorization"* for that student that happened to have it. That's a shoe in because you could do that anyway and just put in the *"possession and administration for emergency treatment"* by registered nurses and practical nurses employed or contracted by the public school systems.

When the system was asked how they go about doing this, all that is required is once the law says they may have possession in the school, properly protected and all the rest, then all they have to do is take a piece of paper

down to the drug store for the pharmacist to be able to sell it to them at the cost to the school, of course.

So that was really – then they have in their possession as the bill calls for the ability to use it. The question was raised, quite appropriately, do all nurses, RNs and so forth know how to recognize anaphylactic shock and the answer is yes they do.

So this is emergency treatment only. Clearly they use judgement but it happens. It happens even with peanuts. It happened, in my experience, in a hospital with a patient who had on her chart, allergic to nuts and eggs and her first meal that she got in the hospital was, very bad asthmatic, beans almondine and something with mayonnaise and she turned blue within a matter of maybe 30 seconds. It could happen. It's not very common but it does happen and this is the treatment of choice and it was felt appropriate when the House passed it on the Consent Calendar.

Senator James W. Squires, D. 12: Any questions? Senator Wheeler.

Senator Katherine W. Wheeler, D. 21: Thank you Mr. Chair. Representative Pilliod, would you believe that not only do I support this bill but I wish it were in our purview to ensure that all schools in New Hampshire had school nurses on the premises?

Representative Pilliod: That's an issue and yes I would agree with that. It's an issue that I have run into myself with schools in Belknap County where there might be three different school buildings and one nurse. That scares the heck out of me. It really does. I don't think that's adequate but I always run into this and a never-ending problem is the nurse in a school a teacher or is she a nurse? Is she a medical person or is she an education person? I'm not going to fight that battle. All I want to make sure is that for general use, if necessary, they have it available to them.

Senator James W. Squires, D. 12: Any other questions? Seeing none, thank you very much. Anybody else? Ladies do you wish to speak? Seeing none, then I will close the hearing on House Bill 1272.

Hearing closed at 2:10 pm.

Respectfully submitted,

Merideth A. Chandler,
Committee Secretary

Speakers

SENATE PI-HHS COMMITTEE

Date 4/11/02 Time 1:00 PM Public Hearing on SB 272

Appearing in FAVOR: (Please print) **Please check box at left to speak.**

Speaking?	Name	Address	Representing
☑	James Pillsbury MD		Prime Sponsor
☐	Lisa L. Carpenter	New London, NH 526-8899	NH Nurses + Nurse Practitioners Assoc.
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Appearing in OPPOSITION: (Please Print) **Please check box at left to speak.**

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Committee Report

Date: April 11, 2000 Time: 2:00 PM

The Senate Committee on Public Institutions/Health Human Services held its hearing in Room 102 LOB, Concord, New Hampshire.

BILL NO.: HB 1272 TITLE: allowing school nurses to possess and administer epinephrine for certain emergency treatment.

Members of the Committee present: Senator Squires
Senator Wheeler
Senator McCarley
Senator Pignatelli

Those appearing in favor:

Name and Address	Representing
See Attached.	

Those appearing in opposition:

Name and Address	Representing
See Attached.	

REPORT OF THE COMMITTEE:

- ☒ Ought to Pass
- ☐ Ought to Pass w/ Amendment
- ☐ Inexpedient to Legislate
- ☐ Rereferred
- ☐ Interim Study
- ☐ Continued Hearing
- ☐ Postponed Hearing

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Date: April 11, 2000

THE COMMITTEE ON Public Institutions/Health Human Services

to which was referred House Bill 1272

AN ACT allowing school nurses to possess and administer epinephrine for certain emergency treatment.

VOTE: 4-0

Having considered the same, report the same without amendment and recommend that the bill: **OUGHT TO PASS.**

Senator James Squires
For the Committee