HOUSE . . . . . No. 3959

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

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:

Chapter 71 of the General Laws is hereby amended by striking out section 54B, as appearing in the 2010 Official Edition, and inserting in place thereof the following section:—

Section 54B. Notwithstanding any general or special law to the contrary, the department of public health shall promulgate regulations governing the administration of medications, including psychotropic medications to children in school settings, in accordance with sections 7 and 9 of chapter 94C. In developing such regulations, the department shall consult with the board of registration in nursing and the board of registration in medicine.

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

A school district shall allow storage of epinephrine in a secure but unlocked place, as determined by the school nurse, accessible only to authorized persons, located in every part of the school grounds where an allergic student is most at risk, including but not limited toclassrooms and lunchrooms.

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

Notwithstanding any general or special law or regulation to the contrary, a school district shall not prohibit a student with diabetes from possessing and administering a glucose

23 monitoring test and insulin delivery system, in accordance with department of public health
24 regulations concerning a student's self-administration of a prescription medication.