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**HEARINGS:** No

**NEWSPAPER ARTICLES:** Yes

"Christie's 'Pocket Veto' Kills Bill Requiring Health Workers to Gt Flu Shots," Spotlight, 1-22-14

LAW/KR

P.L.2013, CHAPTER 211, *approved January 17, 2014*  
Senate, No. 2448 (*First Reprint*)

1 **AN ACT** concerning emergency administration of epinephrine at  
2 institutions of higher education and supplementing chapter 61D  
3 of Title 18A of the New Jersey Statutes.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. This act shall be known and may be cited as the “Higher  
9 Education Epinephrine Emergency Treatment Act.”

10  
11 2. The Legislature finds and declares that:

12 a. Insect and food allergies are the leading cause of  
13 anaphylaxis, a life-threatening condition that is easily treatable with  
14 epinephrine, a medication only available via prescription;

15 b. Individuals who are known to be at risk of anaphylaxis may  
16 carry emergency doses of epinephrine with them at all times.  
17 However, many individuals may not be aware of their allergy and  
18 therefore do not carry epinephrine medication;

19 c. New Jersey’s institutions of higher education enroll students  
20 and attract faculty from around the country and around the world.  
21 They offer a broad array of educational opportunities for the  
22 students and faculty, both on and off campus, including trips and  
23 field studies to new environments that may expose them to different  
24 kinds of insects and foods for the first time. These are often remote  
25 settings where medical professionals or first responders are not  
26 available to provide emergency care for anaphylaxis;

27 d. The State of New Jersey in P.L.1997, c.368 (C.18A:40-12.5  
28 et seq.) has already recognized the value of training non-medical  
29 professionals to administer this life-saving drug in K-12 educational  
30 settings when a medical professional is not physically present at the  
31 scene; and

32 e. It would be prudent to provide individuals in higher  
33 education settings who are responsible for the safety of one or more  
34 individuals with the tools to respond to emergency situations,  
35 particularly when placed in settings where exposure to unfamiliar  
36 insects or types of food is likely and where assistance from medical  
37 professionals and first responders is not readily available.

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SHI committee amendments adopted March 11, 2013.

1       3. As used in this act:

2       “Institution of higher education” means a public or independent  
3 institution of higher education.

4       “Licensed campus medical professional” means a physician,  
5 physician assistant, advanced practice nurse, or registered nurse  
6 who is appropriately licensed by the State of New Jersey and is  
7 designated by an institution of higher education to oversee the  
8 institution’s epinephrine administration and training program.

9       “Member of the campus community” means an individual who is  
10 a student, faculty, or staff member of an institution of higher  
11 education.

12       “Secretary” means the Secretary of Higher Education.

13       “Trained designee” means a member of the campus community  
14 trained by a licensed campus medical professional in the emergency  
15 administration of epinephrine via a pre-filled auto-injector  
16 mechanism.

17

18       4. a. An institution of higher education may develop a policy,  
19 in accordance with the guidelines established by the secretary  
20 pursuant to section 6 of P.L. , c. (C. ) (pending before the  
21 Legislature as this bill), for the emergency administration of  
22 epinephrine via a pre-filled auto-injector mechanism to a member of  
23 the campus community for anaphylaxis when a medical  
24 professional is not available. The policy shall:

25       (1) permit a trained designee, under the guidance of a licensed  
26 campus medical professional, to administer epinephrine via a pre-  
27 filled auto-injector mechanism to a member of the campus  
28 community for whom the designee is responsible, when the  
29 designee in good faith believes that the member of the campus  
30 community is having an anaphylactic reaction;

31       (2) permit a trained designee, when responsible for the safety of  
32 one or more members of the campus community, to carry in a  
33 secure but easily accessible location a supply of pre-filled  
34 epinephrine auto-injectors that is prescribed under a standing  
35 protocol from a licensed physician; and

36       (3) provide that the licensed campus medical professional shall  
37 have responsibility for <sup>1</sup> training designees <sup>1</sup> **in the administration**  
38 **of** on how to identify an anaphylactic reaction, how to identify the  
39 indications for when to use epinephrine, and how to administer<sup>1</sup>  
40 epinephrine via a pre-filled auto-injector mechanism <sup>1</sup> **and** <sup>1</sup>  
41 distributing prescribed pre-filled epinephrine auto-injectors to  
42 trained designees.

43       b. Each institution of higher education that develops a policy  
44 pursuant to subsection a. of this section shall designate a physician,  
45 physician assistant, advanced practice nurse, or registered nurse  
46 who is appropriately licensed by the State of New Jersey to serve as  
47 the licensed campus medical professional.

48       c. A licensed campus medical professional is authorized to:

1 (1) establish and administer a standardized training protocol for  
2 the emergency administration of epinephrine by trained designees;

3 (2) ensure that trained designees have satisfactorily completed  
4 the training protocol;

5 (3) obtain a supply of pre-filled epinephrine auto-injectors under  
6 a standing protocol from a licensed physician; and

7 (4) control distribution to trained designees of pre-filled  
8 epinephrine auto-injectors.

9  
10 5. To become a trained designee, an individual must meet the  
11 following requirements:

12 a. be 18 years of age or older;

13 b. have, or reasonably expect to have, responsibility for at least  
14 one other member of the campus community as a result of the  
15 individual's occupational or volunteer status; and

16 c. have satisfactorily completed a standardized training  
17 protocol established and administered by a licensed campus medical  
18 professional in accordance with guidelines developed by the  
19 secretary.

20  
21 6. The secretary, in consultation with the Department of  
22 Health, shall establish guidelines for the development of a policy by  
23 an institution of higher education for the emergency administration  
24 of epinephrine to a member of the campus community for  
25 anaphylaxis when a medical professional is not available. The  
26 guidelines shall address issues including, but not limited to, the  
27 responsibilities of the institution of higher education, the licensed  
28 campus medical professional, and the trained designee for the  
29 emergency administration of epinephrine. The secretary shall  
30 disseminate the guidelines to the president of each institution of  
31 higher education.

32  
33 7. No licensed campus medical professional, trained designee,  
34 or physician providing a prescription under a standing protocol for  
35 epinephrine pursuant to this act, shall be held liable for any good  
36 faith act or omission committed in accordance with the provisions  
37 of this act. Good faith shall not include willful misconduct, gross  
38 negligence, or recklessness.

39  
40 8. Nothing in this act shall be construed to:

41 a. permit a trained designee to perform the duties or fill the  
42 position of a licensed medical professional;

43 b. prohibit the administration of a pre-filled epinephrine auto-  
44 injector mechanism by a person acting pursuant to a lawful  
45 prescription; <sup>1</sup>**[or]**<sup>1</sup>

46 c. prevent a licensed and qualified member of a health care  
47 profession from administering a pre-filled epinephrine auto-injector

1 mechanism if the duties are consistent with the accepted standards  
2 of the member's profession <sup>1</sup>; or

3 d. violate the "Athletic Training Licensure Act," P.L.1984,  
4 c.203 (C.45:9-37.35 et seq.) in the event that a licensed athletic  
5 trainer administers epinephrine to a member of the campus  
6 community as a trained designee pursuant to this act<sup>1</sup>.

7

8 9. This act shall take effect immediately.

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"Higher Education Epinephrine Emergency Treatment Act."

**SENATE, No. 2448**

**STATE OF NEW JERSEY**  
**215th LEGISLATURE**

INTRODUCED JANUARY 8, 2013

**Sponsored by:**

**Senator SHIRLEY K. TURNER**

**District 15 (Hunterdon and Mercer)**

**SYNOPSIS**

“Higher Education Epinephrine Emergency Treatment Act.”

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning emergency administration of epinephrine at  
2 institutions of higher education and supplementing chapter 61D  
3 of Title 18A of the New Jersey Statutes.

4  
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*

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8 1. This act shall be known and may be cited as the “Higher  
9 Education Epinephrine Emergency Treatment Act.”

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11 2. The Legislature finds and declares that:

12 a. Insect and food allergies are the leading cause of  
13 anaphylaxis, a life-threatening condition that is easily treatable with  
14 epinephrine, a medication only available via prescription;

15 b. Individuals who are known to be at risk of anaphylaxis may  
16 carry emergency doses of epinephrine with them at all times.  
17 However, many individuals may not be aware of their allergy and  
18 therefore do not carry epinephrine medication;

19 c. New Jersey’s institutions of higher education enroll students  
20 and attract faculty from around the country and around the world.  
21 They offer a broad array of educational opportunities for the  
22 students and faculty, both on and off campus, including trips and  
23 field studies to new environments that may expose them to different  
24 kinds of insects and foods for the first time. These are often remote  
25 settings where medical professionals or first responders are not  
26 available to provide emergency care for anaphylaxis;

27 d. The State of New Jersey in P.L.1997, c.368 (C.18A:40-12.5  
28 et seq.) has already recognized the value of training non-medical  
29 professionals to administer this life-saving drug in K-12 educational  
30 settings when a medical professional is not physically present at the  
31 scene; and

32 e. It would be prudent to provide individuals in higher  
33 education settings who are responsible for the safety of one or more  
34 individuals with the tools to respond to emergency situations,  
35 particularly when placed in settings where exposure to unfamiliar  
36 insects or types of food is likely and where assistance from medical  
37 professionals and first responders is not readily available.

38  
39 3. As used in this act:

40 “Institution of higher education” means a public or independent  
41 institution of higher education.

42 “Licensed campus medical professional” means a physician,  
43 physician assistant, advanced practice nurse, or registered nurse  
44 who is appropriately licensed by the State of New Jersey and is  
45 designated by an institution of higher education to oversee the  
46 institution’s epinephrine administration and training program.



1       “Member of the campus community” means an individual who is  
2 a student, faculty, or staff member of an institution of higher  
3 education.

4       “Secretary” means the Secretary of Higher Education.

5       “Trained designee” means a member of the campus community  
6 trained by a licensed campus medical professional in the emergency  
7 administration of epinephrine via a pre-filled auto-injector  
8 mechanism.

9

10      4. a. An institution of higher education may develop a policy,  
11 in accordance with the guidelines established by the secretary  
12 pursuant to section 6 of P.L.     , c. (C.     ) (pending before the  
13 Legislature as this bill), for the emergency administration of  
14 epinephrine via a pre-filled auto-injector mechanism to a member of  
15 the campus community for anaphylaxis when a medical  
16 professional is not available. The policy shall:

17       (1) permit a trained designee, under the guidance of a licensed  
18 campus medical professional, to administer epinephrine via a pre-  
19 filled auto-injector mechanism to a member of the campus  
20 community for whom the designee is responsible, when the  
21 designee in good faith believes that the member of the campus  
22 community is having an anaphylactic reaction;

23       (2) permit a trained designee, when responsible for the safety of  
24 one or more members of the campus community, to carry in a  
25 secure but easily accessible location a supply of pre-filled  
26 epinephrine auto-injectors that is prescribed under a standing  
27 protocol from a licensed physician; and

28       (3) provide that the licensed campus medical professional shall  
29 have responsibility for training designees in the administration of  
30 epinephrine via a pre-filled auto-injector mechanism, and  
31 distributing prescribed pre-filled epinephrine auto-injectors to  
32 trained designees.

33      b. Each institution of higher education that develops a policy  
34 pursuant to subsection a. of this section shall designate a physician,  
35 physician assistant, advanced practice nurse, or registered nurse  
36 who is appropriately licensed by the State of New Jersey to serve as  
37 the licensed campus medical professional.

38      c. A licensed campus medical professional is authorized to:

39       (1) establish and administer a standardized training protocol for  
40 the emergency administration of epinephrine by trained designees;

41       (2) ensure that trained designees have satisfactorily completed  
42 the training protocol;

43       (3) obtain a supply of pre-filled epinephrine auto-injectors under  
44 a standing protocol from a licensed physician; and

45       (4) control distribution to trained designees of pre-filled  
46 epinephrine auto-injectors.

**S2448 TURNER**

4

1       5. To become a trained designee, an individual must meet the  
2 following requirements:  
3       a. be 18 years of age or older;  
4       b. have, or reasonably expect to have, responsibility for at least  
5 one other member of the campus community as a result of the  
6 individual's occupational or volunteer status; and  
7       c. have satisfactorily completed a standardized training  
8 protocol established and administered by a licensed campus medical  
9 professional in accordance with guidelines developed by the  
10 secretary.

11  
12       6. The secretary, in consultation with the Department of  
13 Health, shall establish guidelines for the development of a policy by  
14 an institution of higher education for the emergency administration  
15 of epinephrine to a member of the campus community for  
16 anaphylaxis when a medical professional is not available. The  
17 guidelines shall address issues including, but not limited to, the  
18 responsibilities of the institution of higher education, the licensed  
19 campus medical professional, and the trained designee for the  
20 emergency administration of epinephrine. The secretary shall  
21 disseminate the guidelines to the president of each institution of  
22 higher education.

23  
24       7. No licensed campus medical professional, trained designee,  
25 or physician providing a prescription under a standing protocol for  
26 epinephrine pursuant to this act, shall be held liable for any good  
27 faith act or omission committed in accordance with the provisions  
28 of this act. Good faith shall not include willful misconduct, gross  
29 negligence, or recklessness.

30  
31       8. Nothing in this act shall be construed to:  
32       a. permit a trained designee to perform the duties or fill the  
33 position of a licensed medical professional;  
34       b. prohibit the administration of a pre-filled epinephrine auto-  
35 injector mechanism by a person acting pursuant to a lawful  
36 prescription; or  
37       c. prevent a licensed and qualified member of a health care  
38 profession from administering a pre-filled epinephrine auto-injector  
39 mechanism if the duties are consistent with the accepted standards  
40 of the member's profession.

41  
42       9. This act shall take effect immediately.

43  
44

**STATEMENT**

45  
46  
47       This bill, known as the "Higher Education Epinephrine  
48 Emergency Treatment Act," allows public and independent

1 institutions of higher education in New Jersey to develop a policy  
2 for the emergency administration of epinephrine to a member of the  
3 campus community for anaphylaxis when a medical professional is  
4 not available. Institutions of higher education that develop such  
5 policies must designate an appropriately licensed physician,  
6 physician assistant, advanced practice nurse, or registered nurse to  
7 serve as the “licensed campus medical professional,” who will  
8 oversee the institution’s epinephrine administration and train  
9 designees in the administration of epinephrine via a pre-filled auto-  
10 injector mechanism. Eligible designees must be members of the  
11 campus community who are at least 18 years of age; have, or  
12 reasonably expect to have, responsibility for at least one other  
13 member of the campus community as a result of the designee’s  
14 occupational or volunteer status; and satisfactorily complete the  
15 training protocol administered by the licensed campus medical  
16 professional. A policy developed by an institution of higher  
17 education under the act would permit a trained designee to  
18 administer epinephrine to a member of the campus community for  
19 whom the designee is responsible when the designee in good faith  
20 believes that the member of the campus community is having an  
21 anaphylactic reaction. Under the bill, a licensed campus medical  
22 professional is authorized to obtain a supply of pre-filled  
23 epinephrine auto-injectors under a standing protocol from a licensed  
24 physician and to control distribution of the devices to trained  
25 designees.

26 The bill directs the Secretary of Higher Education to establish  
27 guidelines for the development of a policy for the emergency  
28 administration of epinephrine, which will be disseminated to the  
29 president of each institution of higher education. In addition, the  
30 bill provides immunity for a licensed campus medical professional,  
31 a trained designee, and a prescribing physician for good faith acts or  
32 omissions committed in accordance with the bill’s provisions.

33 Institutions of higher education in New Jersey enroll students  
34 and attract faculty from around the country and the world, and they  
35 offer a broad array of educational opportunities both on and off  
36 campus. These programs may include field trips and field studies to  
37 new environments that expose students and faculty to different  
38 kinds of insects and foods for the first time. Medical professionals  
39 and first responders may not be readily available in such settings,  
40 and individuals without a known allergy do not carry epinephrine  
41 medication with them. Under this bill, institutions of higher  
42 education can develop policies that allow lay members of the  
43 campus community who are responsible for the safety of others by  
44 virtue of their occupational or volunteer status to be trained in the  
45 emergency administration of epinephrine for anaphylaxis, which  
46 can be a life-saving measure.

# SENATE HIGHER EDUCATION COMMITTEE

## STATEMENT TO

### **SENATE, No. 2448**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MARCH 11, 2013

The Senate Higher Education Committee reports favorably Senate Bill No. 2448 with committee amendments.

This bill is known as the “Higher Education Epinephrine Emergency Treatment Act.” As amended, the bill allows public and independent institutions of higher education in New Jersey to develop a policy for the emergency administration of epinephrine to a member of the campus community for anaphylaxis when a medical professional is not available. Institutions of higher education that develop such policies must designate an appropriately licensed physician, physician assistant, advanced practice nurse, or registered nurse to serve as the “licensed campus medical professional,” who will oversee the institution’s epinephrine administration and train designees in the administration of epinephrine via a pre-filled auto-injector mechanism. Eligible designees must be members of the campus community who are at least 18 years of age; have, or reasonably expect to have, responsibility for at least one other member of the campus community as a result of the designee’s occupational or volunteer status; and satisfactorily complete the training protocol administered by the licensed campus medical professional. A policy developed by an institution of higher education under the act would permit a trained designee to administer epinephrine to a member of the campus community for whom the designee is responsible when the designee in good faith believes that the member of the campus community is having an anaphylactic reaction. Under the bill, a licensed campus medical professional is authorized to obtain a supply of pre-filled epinephrine auto-injectors under a standing protocol from a licensed physician and to control distribution of the devices to trained designees. The licensed campus medical professional will also be responsible for training designees on how to identify an anaphylactic reaction, identify the indication for when to use epinephrine, and administer the epinephrine via a pre-filled auto-injector mechanism.

The bill directs the Secretary of Higher Education to establish guidelines for the development of a policy for the emergency administration of epinephrine, which will be disseminated to the

president of each institution of higher education. In addition, the bill provides immunity for a licensed campus medical professional, a trained designee, and a prescribing physician for good faith acts or omissions committed in accordance with the bill's provisions.

The committee amended the bill to require the licensed campus medical professional to also be responsible for training designees on how to identify an anaphylactic reaction and the indication for when to use epinephrine. The committee also amended the bill to specify that in the event that a licensed athletic trainer administers epinephrine as a trained designee, it would not be a violation of the "Athletic Training Licensure Act," P.L.1984, c.203.

# ASSEMBLY HIGHER EDUCATION COMMITTEE

## STATEMENT TO

[First Reprint]

**SENATE, No. 2448**

# **STATE OF NEW JERSEY**

DATED: NOVEMBER 18, 2013

The Assembly Higher Education Committee reports favorably Senate Bill No. 2448 (1R).

This bill is known as the “Higher Education Epinephrine Emergency Treatment Act.” The bill allows public and independent institutions of higher education in New Jersey to develop a policy for the emergency administration of epinephrine to a member of the campus community for anaphylaxis when a medical professional is not available. Institutions of higher education that develop such policies must designate an appropriately licensed physician, physician assistant, advanced practice nurse, or registered nurse to serve as the “licensed campus medical professional,” who will oversee the institution’s epinephrine administration and train designees in the administration of epinephrine via a pre-filled auto-injector mechanism. Eligible designees must be members of the campus community who are at least 18 years of age; have, or reasonably expect to have, responsibility for at least one other member of the campus community as a result of the designee’s occupational or volunteer status; and satisfactorily complete the training protocol administered by the licensed campus medical professional. A policy developed by an institution of higher education under the act would permit a trained designee to administer epinephrine to a member of the campus community for whom the designee is responsible when the designee in good faith believes that the member of the campus community is having an anaphylactic reaction.

Under the bill, a licensed campus medical professional is authorized to obtain a supply of pre-filled epinephrine auto-injectors under a standing protocol from a licensed physician and to control distribution of the devices to trained designees. The licensed campus medical professional will also be responsible for training designees on how to identify an anaphylactic reaction, identify the indication for when to use epinephrine, and administer the epinephrine via a pre-filled auto-injector mechanism.

The bill directs the Secretary of Higher Education to establish guidelines for the development of a policy for the emergency administration of epinephrine, which will be disseminated to the

president of each institution of higher education. In addition, the bill provides immunity for a licensed campus medical professional, a trained designee, and a prescribing physician for good faith acts or omissions committed in accordance with the bill's provisions. The bill also specifies that in the event that a licensed athletic trainer administers epinephrine as a trained designee, it would not be a violation of the "Athletic Training Licensure Act," P.L.1984, c.203.

As reported by the committee, this bill is identical to Assembly Bill No. 3766 with Assembly committee amendments, which was also reported by the committee on this same day.

# ASSEMBLY, No. 3766

## STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED FEBRUARY 7, 2013

**Sponsored by:**

**Assemblywoman BONNIE WATSON COLEMAN**

**District 15 (Hunterdon and Mercer)**

**Assemblywoman NANCY F. MUNOZ**

**District 21 (Morris, Somerset and Union)**

**Assemblywoman BETTYLOU DECROCE**

**District 26 (Essex, Morris and Passaic)**

**Co-Sponsored by:**

**Assemblyman Diegnan**

**SYNOPSIS**

“Higher Education Epinephrine Emergency Treatment Act.”

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 11/19/2013)**



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14 epinephrine, a medication only available via prescription;

15 b. Individuals who are known to be at risk of anaphylaxis may  
16 carry emergency doses of epinephrine with them at all times.  
17 However, many individuals may not be aware of their allergy and  
18 therefore do not carry epinephrine medication;

19 c. New Jersey’s institutions of higher education enroll students  
20 and attract faculty from around the country and around the world.  
21 They offer a broad array of educational opportunities for the  
22 students and faculty, both on and off campus, including trips and  
23 field studies to new environments that may expose them to different  
24 kinds of insects and foods for the first time. These are often remote  
25 settings where medical professionals or first responders are not  
26 available to provide emergency care for anaphylaxis;

27 d. The State of New Jersey in P.L.1997, c.368 (C.18A:40-12.5  
28 et seq.) has already recognized the value of training non-medical  
29 professionals to administer this life-saving drug in K-12 educational  
30 settings when a medical professional is not physically present at the  
31 scene; and

32 e. It would be prudent to provide individuals in higher  
33 education settings who are responsible for the safety of one or more  
34 individuals with the tools to respond to emergency situations,  
35 particularly when placed in settings where exposure to unfamiliar  
36 insects or types of food is likely and where assistance from medical  
37 professionals and first responders is not readily available.

38  
39 3. As used in this act:

40 “Institution of higher education” means a public or independent  
41 institution of higher education.

42 “Licensed campus medical professional” means a physician,  
43 physician assistant, advanced practice nurse, or registered nurse  
44 who is appropriately licensed by the State of New Jersey and is  
45 designated by an institution of higher education to oversee the  
46 institution’s epinephrine administration and training program.

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2 a student, faculty, or staff member of an institution of higher  
3 education.

4       “Secretary” means the Secretary of Higher Education.

5       “Trained designee” means a member of the campus community  
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7 administration of epinephrine via a pre-filled auto-injector  
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10       4. a. An institution of higher education may develop a policy,  
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20 community for whom the designee is responsible, when the  
21 designee in good faith believes that the member of the campus  
22 community is having an anaphylactic reaction;

23       (2) permit a trained designee, when responsible for the safety of  
24 one or more members of the campus community, to carry in a  
25 secure but easily accessible location a supply of pre-filled  
26 epinephrine auto-injectors that is prescribed under a standing  
27 protocol from a licensed physician; and

28       (3) provide that the licensed campus medical professional shall  
29 have responsibility for training designees in the administration of  
30 epinephrine via a pre-filled auto-injector mechanism, and  
31 distributing prescribed pre-filled epinephrine auto-injectors to  
32 trained designees.

33       b. Each institution of higher education that develops a policy  
34 pursuant to subsection a. of this section shall designate a physician,  
35 physician assistant, advanced practice nurse, or registered nurse  
36 who is appropriately licensed by the State of New Jersey to serve as  
37 the licensed campus medical professional.

38       c. A licensed campus medical professional is authorized to:

39       (1) establish and administer a standardized training protocol for  
40 the emergency administration of epinephrine by trained designees;

41       (2) ensure that trained designees have satisfactorily completed  
42 the training protocol;

43       (3) obtain a supply of pre-filled epinephrine auto-injectors under  
44 a standing protocol from a licensed physician; and

45       (4) control distribution to trained designees of pre-filled  
46 epinephrine auto-injectors.



1 institutions of higher education in New Jersey to develop a policy  
2 for the emergency administration of epinephrine to a member of the  
3 campus community for anaphylaxis when a medical professional is  
4 not available. Institutions of higher education that develop such  
5 policies must designate an appropriately licensed physician,  
6 physician assistant, advanced practice nurse, or registered nurse to  
7 serve as the “licensed campus medical professional,” who will  
8 oversee the institution’s epinephrine administration and train  
9 designees in the administration of epinephrine via a pre-filled auto-  
10 injector mechanism. Eligible designees must be members of the  
11 campus community who are at least 18 years of age; have, or  
12 reasonably expect to have, responsibility for at least one other  
13 member of the campus community as a result of the designee’s  
14 occupational or volunteer status; and satisfactorily complete the  
15 training protocol administered by the licensed campus medical  
16 professional. A policy developed by an institution of higher  
17 education under the act would permit a trained designee to  
18 administer epinephrine to a member of the campus community for  
19 whom the designee is responsible when the designee in good faith  
20 believes that the member of the campus community is having an  
21 anaphylactic reaction. Under the bill, a licensed campus medical  
22 professional is authorized to obtain a supply of pre-filled  
23 epinephrine auto-injectors under a standing protocol from a licensed  
24 physician and to control distribution of the devices to trained  
25 designees.

26 The bill directs the Secretary of Higher Education to establish  
27 guidelines for the development of a policy for the emergency  
28 administration of epinephrine, which will be disseminated to the  
29 president of each institution of higher education. In addition, the  
30 bill provides immunity for a licensed campus medical professional,  
31 a trained designee, and a prescribing physician for good faith acts or  
32 omissions committed in accordance with the bill’s provisions.

33 Institutions of higher education in New Jersey enroll students  
34 and attract faculty from around the country and the world, and they  
35 offer a broad array of educational opportunities both on and off  
36 campus. These programs may include field trips and field studies to  
37 new environments that expose students and faculty to different  
38 kinds of insects and foods for the first time. Medical professionals  
39 and first responders may not be readily available in such settings,  
40 and individuals without a known allergy do not carry epinephrine  
41 medication with them. Under this bill, institutions of higher  
42 education can develop policies that allow lay members of the  
43 campus community who are responsible for the safety of others by  
44 virtue of their occupational or volunteer status to be trained in the  
45 emergency administration of epinephrine for anaphylaxis, which  
46 can be a life-saving measure.

# ASSEMBLY HIGHER EDUCATION COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 3766**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: NOVEMBER 18, 2013

The Assembly Higher Education Committee reports favorably Assembly Bill No. 3766 with committee amendments.

This bill is known as the “Higher Education Epinephrine Emergency Treatment Act.” As amended, the bill allows public and independent institutions of higher education in New Jersey to develop a policy for the emergency administration of epinephrine to a member of the campus community for anaphylaxis when a medical professional is not available. Institutions of higher education that develop such policies must designate an appropriately licensed physician, physician assistant, advanced practice nurse, or registered nurse to serve as the “licensed campus medical professional,” who will oversee the institution’s epinephrine administration and train designees in the administration of epinephrine via a pre-filled auto-injector mechanism. Eligible designees must be members of the campus community who are at least 18 years of age; have, or reasonably expect to have, responsibility for at least one other member of the campus community as a result of the designee’s occupational or volunteer status; and satisfactorily complete the training protocol administered by the licensed campus medical professional. A policy developed by an institution of higher education under the act would permit a trained designee to administer epinephrine to a member of the campus community for whom the designee is responsible when the designee in good faith believes that the member of the campus community is having an anaphylactic reaction.

Under the bill, a licensed campus medical professional is authorized to obtain a supply of pre-filled epinephrine auto-injectors under a standing protocol from a licensed physician and to control distribution of the devices to trained designees. The licensed campus medical professional will also be responsible for training designees on how to identify an anaphylactic reaction, identify the indication for when to use epinephrine, and administer the epinephrine via a pre-filled auto-injector mechanism.

The bill directs the Secretary of Higher Education to establish guidelines for the development of a policy for the emergency administration of epinephrine, which will be disseminated to the

president of each institution of higher education. In addition, the bill provides immunity for a licensed campus medical professional, a trained designee, and a prescribing physician for good faith acts or omissions committed in accordance with the bill's provisions. The bill also specifies that in the event that a licensed athletic trainer administers epinephrine as a trained designee, it would not be a violation of the "Athletic Training Licensure Act," P.L.1984, c.203.

The committee amended the bill to require the licensed campus medical professional to also be responsible for training designees on how to identify an anaphylactic reaction and the indication for when to use epinephrine. The committee also amended the bill to specify that in the event that a licensed athletic trainer administers epinephrine as a trained designee, it would not be a violation of the "Athletic Training Licensure Act," P.L.1984, c.203.

As reported by the committee, this bill is identical to Senate Bill No. 2448 (1R), which was also reported by the committee on this same day.