



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB2917

Introduced 2/14/2018, by Sen. Chris Nybo

SYNOPSIS AS INTRODUCED:

410 ILCS 27/10

Amends the Epinephrine Auto-Injector Act. Provides that when an employee or agent of an authorized entity or other individual who has completed specified anaphylaxis training administers an epinephrine auto-injector in good faith, the authorized agency, and its employees and agents, including a physician, physician's assistant with prescriptive authority, or advanced practice registered nurse with prescriptive authority who provides a standing order or prescription for an epinephrine auto-injector, incur no civil or professional liability, except for willful and wanton conduct, as a result of any injury or death arising from the use of an epinephrine auto-injector. Provides that a health care professional shall not be subject to civil or professional liability for not providing an epinephrine auto-injector standing order or prescription.

LRB100 19165 MJP 34430 b

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Epinephrine Auto-Injector Act is amended by
5 changing Section 10 as follows:

6 (410 ILCS 27/10)

7 Sec. 10. Prescription to authorized entity; use; training.

8 (a) A health care practitioner may prescribe epinephrine
9 auto-injectors in the name of an authorized entity for use in
10 accordance with this Act, and pharmacists and health care
11 practitioners may dispense epinephrine auto-injectors pursuant
12 to a prescription issued in the name of an authorized entity.
13 Such prescriptions shall be valid for a period of 2 years.

14 (b) An authorized entity may acquire and stock a supply of
15 undesignated epinephrine auto-injectors pursuant to a
16 prescription issued under subsection (a) of this Section. Such
17 undesignated epinephrine auto-injectors shall be stored in a
18 location readily accessible in an emergency and in accordance
19 with the instructions for use of the epinephrine
20 auto-injectors. The Department may establish any additional
21 requirements an authorized entity must follow under this Act.

22 (c) An employee or agent of an authorized entity or other
23 individual who has completed training under subsection (d) of

1 this Section may:

2 (1) provide an epinephrine auto-injector to any
3 individual on the property of the authorized entity whom
4 the employee, agent, or other individual believes in good
5 faith is experiencing anaphylaxis, or to the parent,
6 guardian, or caregiver of such individual, for immediate
7 administration, regardless of whether the individual has a
8 prescription for an epinephrine auto-injector or has
9 previously been diagnosed with an allergy; or

10 (2) administer an epinephrine auto-injector to any
11 individual on the property of the authorized entity whom
12 the employee, agent, or other individual believes in good
13 faith is experiencing anaphylaxis, regardless of whether
14 the individual has a prescription for an epinephrine
15 auto-injector or has previously been diagnosed with an
16 allergy.

17 (d) An employee, agent, or other individual authorized must
18 complete an anaphylaxis training program before he or she is
19 able to provide or administer an epinephrine auto-injector
20 under this Section. Such training shall be valid for a period
21 of 2 years and shall be conducted by a nationally recognized
22 organization experienced in training laypersons in emergency
23 health treatment. The Department shall include links to
24 training providers' websites on its website.

25 Training shall include, but is not limited to:

26 (1) how to recognize signs and symptoms of an allergic

1 reaction, including anaphylaxis;

2 (2) how to administer an epinephrine auto-injector;

3 and

4 (3) a test demonstrating competency of the knowledge
5 required to recognize anaphylaxis and administer an
6 epinephrine auto-injector.

7 Training may also include, but is not limited to:

8 (A) a review of high-risk areas on the authorized
9 entity's property and its related facilities;

10 (B) steps to take to prevent exposure to allergens;

11 (C) emergency follow-up procedures; and

12 (D) other criteria as determined in rules adopted
13 pursuant to this Act.

14 Training may be conducted either online or in person. The
15 Department shall approve training programs and list permitted
16 training programs on the Department's Internet website.

17 (e) When an employee or agent of an authorized entity or
18 other individual who has completed training under subsection
19 (d) of this Section administers an epinephrine auto-injector in
20 good faith, the authorized agency, and its employees and
21 agents, including a physician, physician's assistant with
22 prescriptive authority, or advanced practice registered nurse
23 with prescriptive authority who provides a standing order or
24 prescription for an epinephrine auto-injector, incur no civil
25 or professional liability, except for willful and wanton
26 conduct, as a result of any injury or death arising from the

1 use of an epinephrine auto-injector. A health care professional
2 shall not be subject to civil or professional liability for not
3 providing an epinephrine auto-injector standing order or
4 prescription.

5 (Source: P.A. 99-711, eff. 1-1-17.)