



Rep. Jonathan Carroll

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10200HB0102ham001

LRB102 04076 CPF 25142 a

1 AMENDMENT TO HOUSE BILL 102

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 102 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the  
5 Childhood Anaphylactic Policy Act.

6 Section 5. Definitions. In this Act:

7 "Department" means the Department of Public Health.

8 "State Board" means the State Board of Education.

9 Section 10. Anaphylactic policy for school districts and  
10 day care centers.

11 (a) The Department, in consultation with the State Board,  
12 shall establish an anaphylactic policy for school districts  
13 setting forth guidelines and procedures to be followed both  
14 for the prevention of anaphylaxis and during a medical  
15 emergency resulting from anaphylaxis. The policy shall be

1 developed after consultation with representatives of pediatric  
2 physicians, school nurses, other health care providers with  
3 expertise in treating children with anaphylaxis, parents of  
4 children with life threatening allergies, school  
5 administrators, teachers, school food service directors, and  
6 appropriate not-for-profit corporations representing allergic  
7 individuals at risk for anaphylaxis.

8 (b) The Department, in consultation with the Department of  
9 Children and Family Services, shall establish an anaphylactic  
10 policy for day care centers setting forth guidelines and  
11 procedures to be followed both for the prevention of  
12 anaphylaxis and during a medical emergency resulting from  
13 anaphylaxis. The policy shall be developed after consultation  
14 with representatives of pediatric physicians and other health  
15 care providers with expertise in treating children with  
16 anaphylaxis, parents of children with life threatening  
17 allergies, day care administrators and personnel, and  
18 appropriate not-for-profit corporations representing allergic  
19 individuals at risk for anaphylaxis. The Department, in  
20 consultation with the Department of Children and Family  
21 Services, shall create informational materials detailing the  
22 anaphylactic policy to be distributed to day care centers.

23 (c) In establishing policies under this Section, the  
24 Department shall consider existing requirements and current  
25 and best practices for schools and day care centers regarding  
26 allergies and anaphylaxis. The Department shall also consider

1 the voluntary guidelines for managing food allergies in  
2 schools and early care and education programs issued by the  
3 United States Department of Health and Human Services, to the  
4 extent appropriate for the setting.

5 (d) The Department shall create informational materials  
6 detailing the anaphylactic policies under this Section and  
7 distribute them to the school boards of school districts,  
8 charter schools, and day care centers. The Department shall  
9 make the materials available on the Department's website.

10 Section 15. Policy requirements. The anaphylactic policies  
11 established under Section 10 of this Act shall include the  
12 following:

13 (1) A procedure and treatment plan, including  
14 emergency protocols and responsibilities for school nurses  
15 and other appropriate school and day care personnel, for  
16 responding to anaphylaxis.

17 (2) A training course for appropriate school and day  
18 care personnel on preventing and responding to  
19 anaphylaxis. The Department shall, in consultation with  
20 the Department of Children and Family Services and the  
21 State Board, consider existing training programs for  
22 responding to anaphylaxis in order to avoid duplicative  
23 training requirements. A preexisting program shall fulfill  
24 the requirement for a training course pursuant to this  
25 paragraph if the standards of the preexisting program are

1 deemed by the Department to be at least as stringent as the  
2 standards adopted by the Department in the development of  
3 the training course by the State.

4 (3) A procedure and appropriate guidelines for the  
5 development of an individualized emergency health care  
6 plan for children with a food or other allergy that could  
7 result in anaphylaxis.

8 (4) A communication plan for intake and dissemination  
9 of information provided by the State regarding children  
10 with a food or other allergy that could result in  
11 anaphylaxis, including a discussion of methods,  
12 treatments, and therapies to reduce the risk of allergic  
13 reactions, including anaphylaxis.

14 (5) Strategies for reducing the risk of exposure to  
15 anaphylactic causative agents, including food and other  
16 allergens.

17 (6) A communication plan for discussion with children  
18 that have developed adequate verbal communication and  
19 comprehension skills and with the parents or guardians of  
20 all children about foods that are safe and unsafe and  
21 about strategies to avoid exposure to unsafe food.

22 Section 20. Notification. At least once each calendar  
23 year, schools and day care centers shall send a notification  
24 to the parents or guardians of all children under the care of  
25 the schools or day care centers to make them aware of the

1 anaphylactic policies, as developed by the Department. For  
2 children under the care of day care centers, the notification  
3 shall be provided by the day care center when the child is  
4 enrolled and annually thereafter. The notification shall  
5 include contact information for parents and guardians to  
6 engage further with the school or day care center to learn more  
7 about individualized aspects of the policies.

8 Section 25. Forwarding; implementation. At least 6 months  
9 after the effective date of this Act, the anaphylactic  
10 policies established under Section 10 shall be jointly  
11 forwarded by the Department and the State Board or the  
12 Department of Children and Family Services, as appropriate, to  
13 each school board of a school district, charter school, and  
14 day care center in the State. Each such entity shall implement  
15 or update, as appropriate, its anaphylactic policy in  
16 accordance with those developed by the State within 6 months  
17 after receiving the anaphylactic policies.

18 Section 30. Updating anaphylactic policies. The  
19 anaphylactic policies established under Section 10 shall be  
20 updated at least once every 3 years or more frequently if the  
21 Department determines it to be necessary or desirable for the  
22 protection of children with a food allergy or other allergy  
23 that could result in anaphylaxis.

1 Section 35. The Child Care Act of 1969 is amended by adding  
2 Section 5.11 as follows:

3 (225 ILCS 10/5.11 new)

4 Sec. 5.11. Plan for anaphylactic shock. The Department  
5 shall require each licensed day care center, day care home,  
6 and group day care home to have a plan for anaphylactic shock  
7 to be followed for the prevention of anaphylaxis and during a  
8 medical emergency resulting from anaphylaxis. The plan should  
9 be based on the guidance and recommendations provided by the  
10 American Academy of Pediatrics relating to the management of  
11 food allergies or other allergies. The plan should be shared  
12 with parents or guardians upon enrollment at each licensed day  
13 care center, day care home, and group day care home. If a child  
14 requires specific specialized treatment during an episode of  
15 anaphylaxis, that child's treatment plan should be kept by the  
16 staff of the day care center, day care home, or group day care  
17 home and followed in the event of an emergency. Each licensed  
18 day care center, day care home, and group day care home shall  
19 have at least one staff member present at all times who has  
20 taken a training course in recognizing and responding to  
21 anaphylaxis.

22 Section 99. Effective date. This Act takes effect July 1,  
23 2021."