



Sen. Laura M. Murphy

Filed: 1/18/2022

10200SB1778sam001

LRB102 15966 CPF 33326 a

1 AMENDMENT TO SENATE BILL 1778

2 AMENDMENT NO. _____. Amend Senate Bill 1778 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Asthma Inhalers at Recreational Camps Act
5 is amended by changing Sections 5 and 10 as follows:

6 (410 ILCS 607/5)

7 Sec. 5. Definitions. In this Act:

8 "After-school care program" means an after-school care
9 program operated by a park district or any nonprofit or
10 for-profit entity on school district property.

11 "Recreational camp" means any place set apart for
12 recreational purposes for boys and girls. "Recreational camp"
13 shall not apply to private camps owned or leased for
14 individual or family use, or to any camp operated for a period
15 of less than 10 days in a year.

16 (Source: P.A. 94-670, eff. 8-23-05.)

1 (410 ILCS 607/10)

2 Sec. 10. Possession, self-administration, and use of
3 epinephrine auto-injectors or inhalers at recreation camps and
4 after-school care programs.

5 (a) A recreation camp or an after-school care program
6 shall permit a child with severe, potentially life-threatening
7 allergies to possess, self-administer, and use an epinephrine
8 auto-injector or inhaler, if the following conditions are
9 satisfied:

10 (1) The child has the written approval of his or her
11 parent or guardian.

12 (2) The recreational camp or after-school care program
13 administrator or, if a nurse is assigned to the camp or
14 program, the nurse shall receive copies of the written
15 approvals required under paragraph (1) of subsection (a)
16 of this Section.

17 (3) The child's parent or guardian shall submit
18 written verification confirming that the child has the
19 knowledge and skills to safely possess, self-administer,
20 and use an epinephrine auto-injector or inhaler in a camp
21 or an after-school care program setting.

22 (b) The child's parent or guardian shall provide the camp
23 or program with the following information:

24 (1) the child's name;

25 (2) the name, route, and dosage of medication;

1 (3) the frequency and time of medication
2 administration or assistance;

3 (4) the date of the order;

4 (5) a diagnosis and any other medical conditions
5 requiring medications, if not a violation of
6 confidentiality or if not contrary to the request of the
7 parent or guardian to keep confidential;

8 (6) specific recommendations for administration;

9 (7) any special side effects, contraindications, and
10 adverse reactions to be observed;

11 (8) the name of each required medication; and

12 (9) any severe adverse reactions that may occur to
13 another child, for whom the epinephrine auto-injector or
14 inhaler is not prescribed, should the other child receive
15 a dose of the medication.

16 (c) If the conditions of this Act are satisfied, the child
17 may possess, self-administer, and use an epinephrine
18 auto-injector or inhaler at the camp or after-school care
19 program or at any camp-sponsored or program-sponsored
20 activity, event, or program.

21 (d) The recreational camp or after-school care program
22 must inform the parents or guardians of the child, in writing,
23 that the recreational camp or after-school care program and
24 its employees and agents are to incur no liability, as
25 applicable, except for willful and wanton conduct, as a result
26 of any injury arising from the self-administration of

1 medication to the child. The parents or guardians of the child
2 must sign a statement acknowledging that the recreational camp
3 or after-school care program is to incur no liability, except
4 for willful and wanton conduct, as a result of any injury
5 arising from the self-administration of medication by the
6 child and that the parents or guardians must indemnify and
7 hold harmless the recreational camp or after-school care
8 program and its employees and agents, as applicable, against
9 any claims, except a claim based on willful and wanton
10 conduct, arising out of the self-administration of medication
11 by the child.

12 (e) After-school care program personnel may administer an
13 undesigned epinephrine injector to any child whom the
14 after-school care program personnel in good faith believes to
15 be having an anaphylactic reaction while in the after-school
16 care program and may carry undesigned epinephrine injectors
17 on his or her person while in the after-school care program.

18 (f) After-school care program personnel may administer
19 undesigned asthma medication to any child whom the
20 after-school care program personnel in good faith believes to
21 be experiencing respiratory distress while in the after-school
22 care program. After-school care program personnel may carry
23 undesigned asthma medication on his or her person while in
24 the after-school care program.

25 (g) When after-school care program personnel administer an
26 undesigned epinephrine injector or an undesigned asthma

1 medication to a child, the after-school care program personnel
2 must inform the parents or guardians of the child, in writing,
3 that the after-school care program and its employees and
4 agents, including a physician, physician assistant, or
5 advanced practice registered nurse providing standing protocol
6 and a prescription for after-school care program epinephrine
7 injectors or undesignated asthma medication, are to incur no
8 liability or professional discipline, except for willful and
9 wanton conduct, as a result of any injury arising from the
10 administration of asthma medication or an epinephrine injector
11 regardless of whether authorization was given by the child's
12 parents or guardians or by the child's physician, physician
13 assistant, or advanced practice registered nurse. A parent or
14 guardian of the child must sign a statement acknowledging that
15 the after-school care program and its employees and agents are
16 to incur no liability, except for willful and wanton conduct,
17 as a result of any injury arising from the administration of
18 asthma medication or an epinephrine injector regardless of
19 whether authorization was given by the child's parent or
20 guardian or by the child's physician, physician assistant, or
21 advanced practice registered nurse and that the parent or
22 guardian must indemnify and hold harmless the after-school
23 care program and its employees and agents against any claims,
24 except a claim based on willful and wanton conduct, arising
25 out of the administration of asthma medication or an
26 epinephrine injector regardless of whether authorization was

1 given by the child's parent or guardian or by the child's
2 physician, physician assistant, or advanced practice
3 registered nurse.

4 (h) When after-school care program personnel administer an
5 undesigned epinephrine injector to a person whom the
6 after-school care program personnel in good faith believes is
7 having an anaphylactic reaction or administers undesigned
8 asthma medication to a person whom the after-school care
9 program personnel in good faith believes is having respiratory
10 distress, notwithstanding the lack of notice to the parent or
11 guardian of the child or the absence of the parent's or
12 guardian's signed statement acknowledging no liability, except
13 for willful and wanton conduct, the after-school care program
14 and its employees and agents, and a physician, a physician
15 assistant, or an advanced practice registered nurse providing
16 standing protocol and a prescription for undesigned
17 epinephrine injectors or undesigned asthma medication, are
18 to incur no liability or professional discipline, except for
19 willful and wanton conduct, as a result of any injury arising
20 from the use of an undesigned epinephrine injector or the
21 use of undesigned asthma medication, regardless of whether
22 authorization was given by the child's parent or guardian or
23 by the child's physician, physician assistant, or advanced
24 practice registered nurse.

25 (Source: P.A. 94-670, eff. 8-23-05.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.".