



Sen. Laura M. Murphy

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10300SB0094sam002

LRB103 25902 LNS 58940 a

1 AMENDMENT TO SENATE BILL 94

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 94 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 1, 5, and 10 as follows:

6 (410 ILCS 607/1)

7 Sec. 1. Short title. This Act may be cited as the Emergency  
8 Asthma Inhalers and Allergy Treatment for Children ~~at~~  
9 ~~Recreational Camps~~ Act.

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

11 (410 ILCS 607/5)

12 Sec. 5. Definitions. In this Act:

13 "After-school care program" means an after-school care  
14 program operated by a park district on school district  
15 property or any nonprofit entity on school district property.

1 "Recreational camp" means any place set apart for  
2 recreational purposes for boys and girls. "Recreational camp"  
3 shall not apply to private camps owned or leased for  
4 individual or family use, or to any camp operated for a period  
5 of less than 10 days in a year.

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

7 (410 ILCS 607/10)

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

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

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

18 (2) The recreational camp or after-school care program  
19 administrator or, if a nurse is assigned to the camp or  
20 program, the nurse shall receive copies of the written  
21 approvals required under paragraph (1) of subsection (a)  
22 of this Section.

23 (3) The child's parent or guardian shall submit  
24 written verification confirming that the child has the  
25 knowledge and skills to safely possess, self-administer,

1 and use an epinephrine auto-injector or inhaler in a camp  
2 or an after-school care program setting.

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

5 (1) the child's name;

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

7 (3) the frequency and time of medication  
8 administration or assistance;

9 (4) the date of the order;

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

14 (6) specific recommendations for administration;

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

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

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

22 (c) If the conditions of this Act are satisfied, the child  
23 may possess, self-administer, and use an epinephrine  
24 auto-injector or inhaler at the camp or after-school care  
25 program or at any camp-sponsored or program-sponsored  
26 activity, event, or program.

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

18           (e) After-school care program personnel may administer an  
19 undesigned epinephrine injection to any child if the  
20 after-school care program personnel believe in good faith that  
21 the child is having an anaphylactic reaction while in the  
22 after-school care program. After-school care program personnel  
23 may carry undesigned epinephrine injectors on their person  
24 while in the after-school care program.

25           (f) After-school care program personnel may administer  
26 undesigned asthma medication to any child if the

1 after-school care program personnel believe in good faith that  
2 the child is experiencing respiratory distress while in the  
3 after-school care program. After-school care program personnel  
4 may carry undesignated asthma medication on their person while  
5 in the after-school care program.

6 (g) If after-school care program personnel are to  
7 administer an undesignated epinephrine injection or an  
8 undesignated asthma medication to a child, the after-school  
9 care program personnel must inform the parents or guardians of  
10 the child, in writing, that the after-school care program and  
11 its employees and agents, acting in accordance with standard  
12 protocols and the prescription for the injection or  
13 medication, shall incur no liability, except for willful and  
14 wanton conduct, as a result of any injury arising from the  
15 administration of the injection or medication, notwithstanding  
16 whether authorization was given by the child's parents or  
17 guardians or by the child's physician, physician assistant, or  
18 advanced practice registered nurse. A parent or guardian of  
19 the child must sign a statement acknowledging that the  
20 after-school care program and its employees and agents are to  
21 incur no liability, except for willful and wanton conduct, as  
22 a result of any injury arising from the administration of the  
23 medication or injection, regardless of whether authorization  
24 was given by a parent or guardian of the child or by the  
25 child's physician, physician assistant, or advanced practice  
26 registered nurse, and that the parent or guardian must also

1 indemnify and hold harmless the after-school care program and  
2 its employees and agents against any claims, except a claim  
3 based on willful and wanton conduct, arising out of the  
4 administration of the medication or injection, regardless of  
5 whether authorization was given by the child's parent or  
6 guardian or by the child's physician, physician assistant, or  
7 advanced practice registered nurse.

8 (h) If after-school care program personnel administer an  
9 undesigned epinephrine injection to a person and the  
10 after-school care program personnel believe in good faith the  
11 person is having an anaphylactic reaction or administer  
12 undesigned asthma medication to a person and believe in good  
13 faith the person is experiencing respiratory distress, then  
14 the after-school care program and its employees and agents,  
15 acting in accordance with standard protocols and the  
16 prescription for the injection or medication, shall not incur  
17 any liability or be subject to professional discipline, except  
18 for willful and wanton conduct, as a result of any injury  
19 arising from the use of the injection or medication,  
20 notwithstanding whether notice was given to or authorization  
21 was given by the child's parent or guardian or by the child's  
22 physician, physician assistant, or advanced practice  
23 registered nurse and notwithstanding the absence of the  
24 parent's or guardian's signed statement acknowledging release  
25 from liability.

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

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