



Sen. Mattie Hunter

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LRB094 17501 NHT 56096 a

1 AMENDMENT TO SENATE BILL 2898

2 AMENDMENT NO. _____. Amend Senate Bill 2898 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Section
5 22-30 as follows:

6 (105 ILCS 5/22-30)

7 Sec. 22-30. Self-administration of ~~asthma~~ medication.

8 (a) In this Section:

9 "Epinephrine auto-injector" means a disposable single-use
10 medical device for immediate self-administration by a person
11 with a history of anaphylaxis.

12 "Medication" means a medicine, prescribed by (i) a
13 physician licensed to practice medicine in all its branches,
14 (ii) a physician assistant who has been delegated the authority
15 to prescribe asthma medications by his or her supervising
16 physician, or (iii) an advanced practice registered nurse who
17 has a written collaborative agreement with a collaborating
18 physician that delegates the authority to prescribe asthma
19 medications, for a pupil that pertains to the pupil's asthma
20 and that has an individual prescription label.

21 "Self-administration" means a pupil's discretionary use of
22 his or her prescribed asthma medication.

23 (b) A school, whether public or nonpublic, must permit the
24 self-administration of medication by a pupil with asthma or the

1 use of an epinephrine auto-injector by a pupil, provided that:

2 (1) the parents or guardians of the pupil provide to
3 the school written authorization for the
4 self-administration of medication or use of an epinephrine
5 auto-injector; and

6 (2) the parents or guardians of the pupil provide to
7 the school a written statement from the pupil's physician,
8 physician assistant, or advanced practice registered nurse
9 containing the following information:

10 (A) the name and purpose of the medication or
11 epinephrine auto-injector;

12 (B) the prescribed dosage; and

13 (C) the time or times at which or the special
14 circumstances under which the medication or
15 epinephrine auto-injector is to be administered.

16 The information provided shall be kept on file in the office of
17 the school nurse or, in the absence of a school nurse, the
18 school's administrator.

19 (c) The school district or nonpublic school must inform the
20 parents or guardians of the pupil, in writing, that the school
21 district or nonpublic school and its employees and agents are
22 to incur no liability, except for willful and wanton conduct,
23 as a result of any injury arising from the self-administration
24 of medication or use of an epinephrine auto-injector by the
25 pupil. The parents or guardians of the pupil must sign a
26 statement acknowledging that the school district or nonpublic
27 school is to incur no liability, except for willful and wanton
28 conduct, as a result of any injury arising from the
29 self-administration of medication or use of an epinephrine
30 auto-injector by the pupil and that the parents or guardians
31 must indemnify and hold harmless the school district or
32 nonpublic school and its employees and agents against any
33 claims, except a claim based on willful and wanton conduct,
34 arising out of the self-administration of medication or use of

1 an epinephrine auto-injector by the pupil.

2 (d) The permission for self-administration of medication
3 or use of an epinephrine auto-injector is effective for the
4 school year for which it is granted and shall be renewed each
5 subsequent school year upon fulfillment of the requirements of
6 this Section.

7 (e) Provided that the requirements of this Section are
8 fulfilled, a pupil with asthma may possess and use his or her
9 medication or a pupil may possess and use an epinephrine
10 auto-injector (i) while in school, (ii) while at a
11 school-sponsored activity, (iii) while under the supervision
12 of school personnel, or (iv) before or after normal school
13 activities, such as while in before-school or after-school care
14 on school-operated property.

15 (Source: P.A. 92-402, eff. 8-16-01.)

16 Section 90. The State Mandates Act is amended by adding
17 Section 8.30 as follows:

18 (30 ILCS 805/8.30 new)

19 Sec. 8.30. Exempt mandate. Notwithstanding Sections 6 and 8
20 of this Act, no reimbursement by the State is required for the
21 implementation of any mandate created by this amendatory Act of
22 the 94th General Assembly.

23 Section 99. Effective date. This Act takes effect upon
24 becoming law."