

Amendment No. 73

Assembly Amendment to Assembly Bill No. 182

(BDR 34-1000)

Proposed by: Committee on Health and Human Services**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend section 1, page 3, lines 11 and 12, by deleting:

“board of trustees of the school district” and inserting:*“principal or if applicable, the school nurse of the public school”.*Amend section 1, page 3, line 36, by deleting *“subsection 3.”* and inserting:*“subsections 3 and 4.”.*

Amend section 1, page 3, lines 37 and 38, by deleting:

*“not:**(a) Create”* and inserting *“not create”.*Amend section 1, page 3, line 41, by deleting *“employment; or”* and inserting *“employment.”.*

Amend section 1, pages 3 and 4, by deleting lines 42 through 44 on page 3 and lines 1 and 2 on page 4, and inserting:

MAM/KCR

Date: 4/1/2005

A.B. No. 182—Requires boards of trustees of school districts to allow pupils to self-administer prescribed medications for asthma and anaphylaxis under certain circumstances.

A_AB182_73

“4. If a pupil is granted authorization pursuant to this section to self-administer medication, the board of trustees of the school district, the school district and the public school in which the pupil is enrolled, and any employee or agent thereof, are immune from liability for the injury to or death of the pupil as a result of self-administration of a medication pursuant to this section or the failure of the pupil to self-administer such a medication.”.

Amend section 1, page 4, line 3, by deleting “4.” and inserting “5.”.

Amend section 1, page 4, line 4, by deleting:

“board of trustees of a school district” and inserting:

“principal or if applicable, the school nurse of the public school in which a pupil is enrolled”.

Amend section 1, page 4, line 9, after “***principal***” by inserting:

“or if applicable, the school nurse”.

Amend section 1, page 4, line 21, by deleting “5.” and inserting “6.”.

Amend section 1, page 4, line 22, by deleting “4” and inserting “5”.

Amend section 1, page 4, lines 23 and 24, by deleting:

“board of trustees of a school district” and inserting:

“principal or if applicable, the school nurse of the public school in which the pupil is enrolled”.

Amend section 1, page 4, line 26, by deleting “6.” and inserting “7.”.

Amend section 1, page 4, line 28, after “***principal***” by inserting:

“or if applicable, the school nurse”.

Amend section 1, page 4, line 30, after “***principal***” by inserting:

“or if applicable, the school nurse”.

Amend section 1, page 4, line 36, by deleting “7.” and inserting “8.”.

Amend the title of the bill to read as follows:

“AN ACT relating to pupils; requiring a principal or a school nurse of a public school to allow pupils to self-administer prescribed medications for asthma and anaphylaxis under certain circumstances; and providing other matters properly relating thereto.”.

Amend the summary of the bill to read as follows:

“SUMMARY—Requires principals and school nurses to allow pupils to self-administer prescribed medications for asthma and anaphylaxis under certain circumstances. (BDR 34-1000)”.

**If this amendment is adopted, the Legislative
Counsel's Digest will be changed to read as follows:**

Legislative Counsel's Digest:

Existing law provides various requirements concerning pupils who attend public schools in this State, including requirements concerning the health and safety of pupils. (Chapter 392 of NRS) The federal Asthmatic Schoolchildren's Treatment and Health Management Act of 2004 identifies the need for school districts to develop medication policies that allow a pupil who has asthma or anaphylaxis to have immediate use of appropriate medication. The Act also gives preference for the awarding of certain federal grants relating to health care to states that allow pupils to self-administer medication to treat asthma and anaphylaxis. (Public Law 108-377, 108th Congress; 42 U.S.C. § 280g)

This bill allows a parent or legal guardian of a pupil who has asthma or anaphylaxis to request authorization from the principal or if applicable, the school nurse of the public school in which the pupil is enrolled to allow the pupil to self-administer medication for the treatment of asthma or anaphylaxis while the pupil is on the grounds of a public school, at an activity sponsored by a public school or on a school bus. If the request contains certain specified information, the principal or if applicable, the school nurse is required to approve the request. This bill further provides that authorization by a principal or school nurse for a pupil to self-administer medication does not create any additional duties of the board of trustees, the school district or the public school, or an employee or agent of any of them. In addition, those entities and persons are immune from liability for an

injury or death that is the result of the self-administration or failure to self-administer a drug pursuant to the bill.