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BILL ANALYSIS

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House Bill 5087 (Substitute S-1 as reported)  
Sponsor: Representative Marc Shulman  
House Committee: Family and Children Services  
Senate Committee: Education

### **CONTENT**

The bill would amend the Revised School Code to permit students in public or nonpublic schools to possess and use an epinephrine auto-injector or epinephrine inhaler to treat anaphylaxis at school, on school-sponsored transportation, and at school-sponsored events; and require schools to have an emergency care plan for pupils carrying an epinephrine injector or inhaler or an asthma inhaler.

Currently, a student may possess and use a metered dose inhaler or dry powder inhaler to treat or prevent asthmatic symptoms, if the student has written approval from his or her physician and, if the student is a minor, from his or her parent or legal guardian. A school district may request a student's parent or guardian to provide an extra inhaler to designated school personnel for use in an emergency. A principal who is aware that a pupil possesses an inhaler must notify each of the student's teachers of that fact. Under the bill, these provisions also would apply to epinephrine auto-injectors and inhalers.

In addition, a school would have to have on file a written emergency care plan for a pupil carrying an epinephrine injector or inhaler or an asthma inhaler. The plan would have to contain specific instructions for the pupil's needs, be prepared by a State-licensed physician in collaboration with the pupil and the pupil's parent or legal guardian, and be updated as necessary for changing circumstances.

(Anaphylaxis is a severe allergic reaction to insect bites, foods, medications, or other substances.)

MCL 380.1179

Legislative Analyst: Claire Layman

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Date Completed: 3-26-04

Fiscal Analyst: Joe Carrasco