

SENATE, No. 1960

STATE OF NEW JERSEY

218th LEGISLATURE

INTRODUCED FEBRUARY 22, 2018

Sponsored by:

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Senator JAMES BEACH

District 6 (Burlington and Camden)

SYNOPSIS

Permits school bus driver to administer epinephrine to student in emergency under certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/27/2018)

1 AN ACT concerning the administration of epinephrine by school bus
2 drivers and supplementing P.L.1997, c.368 (C.18A:40-12.5 et
3 seq.).
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*
7

8 1. a. As used in this section, “school bus driver” includes
9 school bus drivers who are employed by a board of education and
10 school bus drivers who are employed by a school bus contractor
11 that provides pupil transportation services under contract with a
12 board of education.

13 b. The policy of a board of education or a nonpublic school for
14 the emergency administration of epinephrine to a student for
15 anaphylaxis shall permit a school bus driver to administer
16 epinephrine to a student when the following conditions are met:

17 (1) the student’s parent or guardian has provided written
18 authorization for a school bus driver to administer epinephrine to
19 the student in an emergency; and

20 (2) the school bus driver has been properly trained in the
21 administration of epinephrine via a pre-filled auto-injector
22 mechanism using standardized training protocols established by the
23 Department of Education in consultation with the Department of
24 Health. The training shall be conducted by an entity or individual
25 approved by the Department of Education.

26 c. Nothing in this section shall be construed to prohibit the
27 emergency administration of epinephrine to a student for
28 anaphylaxis by a school bus driver when the student is authorized to
29 self-administer epinephrine pursuant to section 1 of P.L.1993, c.308
30 (C.18A:40-12.3).

31 d. No school bus driver, school district, nonpublic school, or
32 school bus contractor that provides pupil transportation services
33 under contract with a board of education shall be held liable for any
34 good faith act or omission consistent with the provisions of this
35 section. Good faith shall not include willful misconduct, gross
36 negligence, or recklessness.
37

38 2. The State Board of Education shall promulgate regulations
39 pursuant to the “Administrative Procedure Act,” P.L.1968, c.410
40 (C.52:14B-1 et seq.), necessary to effectuate the provisions of this
41 act.
42

43 3. This act shall take effect immediately and shall first apply to
44 the first full school year following the date of enactment.

STATEMENT

Current law, P.L.1997, c.368 (C.18A:40-12.5 et seq.), establishes requirements for the development of a policy for the emergency administration of epinephrine to a student for anaphylaxis. This bill would supplement existing law to include school bus drivers among the individuals who are permitted to administer epinephrine to a student under certain circumstances.

Under the bill, the policy of a board of education or a nonpublic school for the emergency administration of epinephrine to a student will permit a school bus driver to administer epinephrine to a student when the following conditions are met: (1) the student's parent or guardian has provided written authorization for a school bus driver to administer epinephrine to the student in an emergency; and (2) the school bus driver has been properly trained in the administration of epinephrine via a pre-filled auto-injector mechanism using standardized training protocols established by the Department of Education in consultation with the Department of Health. The training will be conducted by an entity or individual approved by the Department of Education.

The bill provides that school bus drivers, school districts, nonpublic schools, and school bus contractors that provide pupil transportation services under contract with a board of education will have immunity from liability for good faith acts or omissions consistent with the provisions of the bill.