

[First Reprint]

**SENATE, No. 3142**

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**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

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INTRODUCED NOVEMBER 5, 2020

**Sponsored by:**

**Senator JOSEPH A. LAGANA**

**District 38 (Bergen and Passaic)**

**Senator RICHARD J. CODEY**

**District 27 (Essex and Morris)**

**Co-Sponsored by:**

**Senator Pou**

**SYNOPSIS**

Expands epinephrine access laws to include epinephrine nasal sprays.

**CURRENT VERSION OF TEXT**

As reported by the Senate Health, Human Services and Senior Citizens Committee on January 14, 2021, with amendments.



**(Sponsorship Updated As Of: 3/25/2021)**

1 AN ACT concerning epinephrine and amending various parts of the  
2 statutory law.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. Section 1 of P.L.1997, c.368 (C.18A:40-12.5) is amended to  
8 read as follows:

9 1. Each board of education or chief school administrator of a  
10 nonpublic school shall develop a policy in accordance with the  
11 guidelines established by the Department of Education pursuant to  
12 section 4 of P.L.2007, c.57 (C.18A:40-12.6a) for the emergency  
13 administration of epinephrine via a pre-filled auto-injector mechanism  
14 or nasal spray to a pupil for anaphylaxis provided that:

15 a. the parents or guardians of the pupil provide to the board of  
16 education or chief school administrator of a nonpublic school written  
17 authorization for the administration of the epinephrine;

18 b. the parents or guardians of the pupil provide to the board of  
19 education or chief school administrator of a nonpublic school written  
20 orders from the physician or advanced practice nurse that the pupil  
21 requires the administration of epinephrine for anaphylaxis;

22 c. the board or chief school administrator of a nonpublic school  
23 informs the parents or guardians of the pupil in writing that the district  
24 and its employees or agents or the nonpublic school and its employees  
25 or agents shall have no liability as a result of any injury arising from  
26 the administration of the epinephrine via a pre-filled auto-injector  
27 mechanism or nasal spray;

28 d. the parents or guardians of the pupil sign a statement  
29 acknowledging their understanding that the district or the nonpublic  
30 school shall have no liability as a result of any injury arising from the  
31 administration of the epinephrine via a pre-filled auto-injector  
32 mechanism or nasal spray to the pupil and that the parents or guardians  
33 shall indemnify and hold harmless the district and its employees or  
34 agents or the nonpublic school and its employees or agents against any  
35 claims arising out of the administration of the epinephrine via a pre-  
36 filled auto-injector mechanism or nasal spray; and

37 e. the permission is effective for the school year for which it is  
38 granted and is renewed for each subsequent school year upon  
39 fulfillment of the requirements in subsections a. through d. of this  
40 section.

41 The policy developed by a board of education or chief school  
42 administrator of a nonpublic school shall require:

43 (1) the placement of a pupil's prescribed epinephrine in a secure  
44 but unlocked location easily accessible by the school nurse and  
45 designees to ensure prompt availability in the event of an allergic

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SHH committee amendments adopted January 14, 2021.

1 emergency at school or at a school-sponsored function. The location  
2 of the epinephrine shall be indicated on the pupil's emergency care  
3 plan. Back-up epinephrine via a pre-filled auto-injector mechanism,  
4 epinephrine nasal spray, or both, shall also be available at the school if  
5 needed;

6 (2) the school nurse or designee to be promptly available on site at  
7 the school and school-sponsored functions in the event of an allergic  
8 reaction; and

9 (3) the transportation of the pupil to a hospital emergency room by  
10 emergency services personnel after the administration of epinephrine,  
11 even if the pupil's symptoms appear to have resolved.

12 f. The policy developed by a board of education or chief school  
13 administrator of a nonpublic school shall also:

14 (1) permit the school nurse or trained designee to administer  
15 epinephrine via a pre-filled auto-injector mechanism or nasal spray to  
16 any pupil without a known history of anaphylaxis or any pupil whose  
17 parent or guardian has not met the requirements of subsections a., b.,  
18 and d. of this section and has not received the notice required pursuant  
19 to subsection c. of this section when the nurse or designee in good  
20 faith believes that the pupil is having an anaphylactic reaction; and

21 (2) require each public and nonpublic school to maintain in a  
22 secure but unlocked and easily accessible location a supply of  
23 epinephrine auto-injectors <sup>1</sup>**[and]** <sup>1</sup>epinephrine nasal sprays <sup>1</sup>**[that]** ,  
24 or both, which supply<sup>1</sup> is prescribed under a standing protocol from a  
25 licensed physician or an advanced practice nurse, and is accessible to  
26 the school nurse and trained designees for administration to a pupil  
27 having an anaphylactic reaction.

28 (cf: P.L.2015, c.13, s.1)

29  
30 2. Section 2 of P.L.1997, c.368 (C.18A:40-12.6) is amended to  
31 read as follows:

32 2. The policy for the administration of medication to a pupil  
33 shall provide that the school nurse shall have the primary  
34 responsibility for the administration of the epinephrine. The school  
35 nurse shall designate, in consultation with the board of education, or  
36 chief school administrator of a nonpublic school additional  
37 employees of the school district or nonpublic school who volunteer  
38 to administer epinephrine via a pre-filled auto-injector mechanism  
39 or nasal spray to a pupil for anaphylaxis when the nurse is not  
40 physically present at the scene. In the event that a licensed athletic  
41 trainer volunteers to administer epinephrine, it shall not constitute a  
42 violation of the "Athletic Training Licensure Act," P.L.1984, c.203  
43 (C.45:9-37.35 et seq.).

44 Except as otherwise provided pursuant to subsection f. of section  
45 1 of P.L.1997, c.368 (C.18A:40-12.5), the school nurse shall  
46 determine that:

47 a. the designees have been properly trained in the  
48 administration of the epinephrine via a pre-filled auto-injector

1 mechanism, nasal spray, or both, using standardized training  
2 protocols established by the Department of Education in  
3 consultation with the Department of Health;

4 b. the parents or guardians of the pupil consent in writing to the  
5 administration of the epinephrine via a pre-filled auto-injector  
6 mechanism or nasal spray by the designees;

7 c. the board or chief school administrator of a nonpublic school  
8 informs the parents or guardians of the pupil in writing that the  
9 district and its employees or agents or the nonpublic school and its  
10 employees and agents shall have no liability as a result of any injury  
11 arising from the administration of the epinephrine to the pupil;

12 d. the parents or guardians of the pupil sign a statement  
13 acknowledging their understanding that the district or nonpublic  
14 school shall have no liability as a result of any injury arising from  
15 the administration of the epinephrine via a pre-filled auto-injector  
16 mechanism or nasal spray to the pupil and that the parents or  
17 guardians shall indemnify and hold harmless the district and its  
18 employees or agents against any claims arising out of the  
19 administration of the epinephrine via a pre-filled auto-injector  
20 mechanism or nasal spray to the pupil; and

21 e. the permission is effective for the school year for which it is  
22 granted and is renewed for each subsequent school year upon  
23 fulfillment of the requirements in subsections a. through d. of this  
24 section.

25 The Department of Education, in consultation with the  
26 Department of Health, shall require trained designees for students  
27 enrolled in a school who may require the emergency administration  
28 of epinephrine for anaphylaxis when the school nurse is not  
29 available.

30 Nothing in this section shall be construed to prohibit the  
31 emergency administration of epinephrine via a pre-filled auto-  
32 injector mechanism or nasal spray to a pupil for anaphylaxis by the  
33 school nurse or other employees designated pursuant to this section  
34 when the pupil is authorized to self-administer epinephrine pursuant  
35 to section 1 of P.L.1993, c.308 (C.18A:40-12.3), or when there is a  
36 coexisting diagnosis of asthma, or when a prescription is received  
37 from a licensed health care professional for epinephrine coupled  
38 with another form of medication, or when the epinephrine is  
39 administered pursuant to subsection f. of section 1 of  
40 P.L.1997, c.368 (C.18A:40-12.5).

41 (cf: P.L.2015, c.13, s.2)

42  
43 3. Section 3 of P.L.2013, c.211 (C.18A:61D-13) is amended to  
44 read as follows:

45 3. As used in this act:

46 "Institution of higher education" means a public or independent  
47 institution of higher education.

1 "Licensed campus medical professional" means a physician,  
2 physician assistant, advanced practice nurse, or registered nurse  
3 who is appropriately licensed by the State of New Jersey and is  
4 designated by an institution of higher education to oversee the  
5 institution's epinephrine administration and training program.

6 "Member of the campus community" means an individual who is  
7 a student, faculty, or staff member of an institution of higher  
8 education.

9 "Secretary" means the Secretary of Higher Education.

10 "Trained designee" means a member of the campus community  
11 trained by a licensed campus medical professional in the emergency  
12 administration of epinephrine via a pre-filled auto-injector  
13 mechanism, nasal spray, or both.

14 (cf: P.L.2013, c.211, s.3)

15  
16 4. Section 4 of P.L.2013, c.211 (C.18A:61D-14) is amended to  
17 read as follows:

18 4. a. An institution of higher education may develop a policy,  
19 in accordance with the guidelines established by the secretary  
20 pursuant to section 6 of P.L.2013, c.211 (C.18A:61D-16), for the  
21 emergency administration of epinephrine via a pre-filled auto-  
22 injector mechanism, nasal spray, or both to a member of the campus  
23 community for anaphylaxis when a medical professional is not  
24 available. The policy shall:

25 (1) permit a trained designee, under the guidance of a licensed  
26 campus medical professional, to administer epinephrine via a pre-  
27 filled auto-injector mechanism or nasal spray to a member of the  
28 campus community for whom the designee is responsible, when the  
29 designee in good faith believes that the member of the campus  
30 community is having an anaphylactic reaction;

31 (2) permit a trained designee, when responsible for the safety of  
32 one or more members of the campus community, to carry in a  
33 secure but easily accessible location a supply of pre-filled  
34 epinephrine auto-injectors and epinephrine nasal sprays that is  
35 prescribed under a standing protocol from a licensed physician; and

36 (3) provide that the licensed campus medical professional shall  
37 have responsibility for: training designees on how to identify an  
38 anaphylactic reaction, how to identify the indications for when to  
39 use epinephrine, and how to administer epinephrine via a pre-filled  
40 auto-injector mechanism, nasal spray, or both; and distributing  
41 prescribed pre-filled epinephrine auto-injectors and epinephrine  
42 nasal sprays to trained designees.

43 b. Each institution of higher education that develops a policy  
44 pursuant to subsection a. of this section shall designate a physician,  
45 physician assistant, advanced practice nurse, or registered nurse  
46 who is appropriately licensed by the State of New Jersey to serve as  
47 the licensed campus medical professional.

48 c. A licensed campus medical professional is authorized to:

- 1 (1) establish and administer a standardized training protocol for
- 2 the emergency administration of epinephrine by trained designees;
- 3 (2) ensure that trained designees have satisfactorily completed
- 4 the training protocol;
- 5 (3) obtain a supply of pre-filled epinephrine auto-injectors,
- 6 epinephrine nasal sprays, or both, under a standing protocol from a
- 7 licensed physician; and
- 8 (4) control distribution to trained designees of pre-filled
- 9 epinephrine auto-injectors and epinephrine nasal sprays.
- 10 (cf: P.L.2013, c.211, s.4)
- 11

12 5. Section 8 of P.L.2013, c.211 (C.18A:61D-18) is amended to

13 read as follows:

- 14 8. Nothing in this act shall be construed to:
- 15 a. permit a trained designee to perform the duties or fill the
- 16 position of a licensed medical professional;
- 17 b. prohibit the administration of a pre-filled epinephrine auto-
- 18 injector mechanism or epinephrine nasal spray by a person acting
- 19 pursuant to a lawful prescription;
- 20 c. prevent a licensed and qualified member of a health care
- 21 profession from administering a pre-filled epinephrine auto-injector
- 22 mechanism or epinephrine nasal spray if the duties are consistent
- 23 with the accepted standards of the member's profession; or
- 24 d. violate the "Athletic Training Licensure Act,"
- 25 P.L.1984, c.203 (C.45:9-37.35 et seq.) in the event that a licensed
- 26 athletic trainer administers epinephrine to a member of the campus
- 27 community as a trained designee pursuant to this act.
- 28 (cf: P.L.2013, c.211, s.8)
- 29

30 6. Section 4 of P.L.2015, c.215 (C.24:6L-4) is amended to read

31 as follows:

- 32 4. a. Any person who has successfully completed an
- 33 educational program approved by the commissioner pursuant to
- 34 section 5 of this act to administer **[an]** epinephrine using an auto-
- 35 injector device or an epinephrine nasal spray shall be issued a
- 36 certificate of completion, which shall authorize the person to
- 37 administer, maintain, and dispose of an epinephrine auto-injector
- 38 device or epinephrine nasal spray.
- 39 b. A licensed health care professional may prescribe or
- 40 dispense an epinephrine auto-injector device or nasal spray, either
- 41 directly or through a standing order, to a person authorized to
- 42 administer, maintain, and dispose of the device or nasal spray
- 43 pursuant to subsection a. of this section.
- 44 c. An entity employing a person authorized to administer,
- 45 maintain, and dispose of an epinephrine auto-injector device or
- 46 epinephrine nasal spray pursuant to subsection a. of this section
- 47 may obtain, maintain, and make available to the authorized person
- 48 epinephrine auto-injector devices or epinephrine nasal sprays, as

1 applicable, consistent with such standards and protocols as the  
2 commissioner may establish by regulation.

3 (cf: P.L.2015, c.215, s.4)

4  
5 7. Section 5 of P.L.2015, c.215 (C.24:6L-5) is amended to read  
6 as follows:

7 5. The commissioner shall establish written standards and  
8 application procedures for approval of educational programs for the  
9 safe administration of epinephrine using an auto-injector device or  
10 an epinephrine nasal spray. An educational program shall include  
11 training in the administration of epinephrine using auto-injector  
12 devices, nasal sprays, or both, recognition of the symptoms of  
13 anaphylaxis, safe maintenance and storage of epinephrine auto-  
14 injector devices and nasal sprays, as applicable, and such other  
15 information as the commissioner deems necessary.

16 (cf: P.L.2015, c.215, s.5)

17  
18 8. Section 6 of P.L.2015, c.215 (C.24:6L-6) is amended to read  
19 as follows:

20 6. a. A health care professional shall not, as a result of the  
21 professional's acts or omissions, be subject to any civil liability or  
22 any professional disciplinary action under Title 45 of the Revised  
23 Statutes for any act or omission which is undertaken in good faith in  
24 accordance with this act.

25 b. A person authorized to administer, maintain, or dispose of an  
26 epinephrine auto-injector device or epinephrine nasal spray under  
27 subsection a. of section 4 of this act who, in good faith and without  
28 fee, administers an epinephrine auto-injector device or epinephrine  
29 nasal spray to a person who appears to be suffering from  
30 anaphylaxis or any other serious condition treatable with  
31 epinephrine shall not, as a result of the person's acts or omissions,  
32 be subject to any civil liability for administering the device or nasal  
33 spray consistent with this act.

34 c. An entity authorized to obtain, maintain, and make available  
35 epinephrine auto injector devices and epinephrine nasal sprays to a  
36 person employed by the entity pursuant to subsection c. of section 4  
37 of this act shall not, as a result of the entity's acts or omissions, be  
38 subject to any civil liability for any act or omission which is  
39 undertaken in good faith in accordance with this act.

40 d. A person or entity conducting an educational program  
41 approved by the commissioner as provided in section 5 of this act  
42 shall not be subject to any civil liability for any act or omission  
43 which is undertaken in accordance with this act.

44 e. For the purposes of this section, good faith does not include  
45 willful misconduct, gross negligence, or recklessness.

46 (cf: P.L.2015, c.215, s.6)

1       9. Section 7 of P.L.2015, c.215 (C.24:6L-7) is amended to  
2 read as follows:

3       7. Nothing in this act shall be construed to:

4       a. permit a person who has completed a training program  
5 pursuant to this act to perform the duties or fill the position of a  
6 licensed medical professional;

7       b. prohibit the administration of an epinephrine auto-injector  
8 device or epinephrine nasal spray by a person acting pursuant to a  
9 lawful prescription;

10       c. prevent a licensed and qualified member of a health care  
11 profession from administering an epinephrine auto-injector device  
12 or epinephrine nasal spray if the duties are consistent with the  
13 accepted standards of practice applicable to the member's  
14 profession; or

15       d. violate the "Athletic Training Licensure Act,"  
16 P.L.1984, c.203 (C.45:9-37.35 et seq.) in the event that a licensed  
17 athletic trainer administers epinephrine as authorized pursuant to  
18 this act.

19 (cf: P.L.2015, c.215, s.7)

20

21       10. Section 2 of P.L.2003, c.1 (C.26:2K-47.2) is amended to  
22 read as follows:

23       2. a. An emergency medical technician who has been certified  
24 by the commissioner pursuant to subsection b. of this section to  
25 administer an epinephrine auto-injector device or epinephrine nasal  
26 spray shall administer, maintain and dispose of the device or nasal  
27 spray in accordance with rules and regulations adopted by the  
28 commissioner.

29       Each administration of an epinephrine auto-injector device or  
30 epinephrine nasal spray pursuant to this act shall be reported to the  
31 Department of Health in a manner determined by the commissioner.

32       b. The commissioner shall establish written standards and  
33 application procedures which an emergency medical technician  
34 shall meet in order to obtain certification. The commissioner shall  
35 certify a candidate who: provides evidence of satisfactory  
36 completion of an educational program which is approved by the  
37 commissioner and includes training in the administration of  
38 epinephrine auto-injector devices, epinephrine nasal sprays, or both;  
39 and passes an examination in the administration of the devices,  
40 nasal sprays, or both, as applicable, which is approved by the  
41 commissioner.

42       c. The commissioner shall maintain a registry of all persons  
43 certified pursuant to this section, which shall include, but not be  
44 limited to:

45       (1) the person's name and residence; and

46       (2) the date that certification was granted.

47       d. The commissioner shall annually compile a list of  
48 emergency medical technicians who have obtained certification to



1 administer an epinephrine auto-injector device or epinephrine nasal  
2 spray pursuant to this section, which shall be available to the public.

3 e. A fee may be charged to a person enrolled in an educational  
4 program approved by the department which includes training in the  
5 administration of an epinephrine auto-injector device, epinephrine  
6 nasal spray, or both, in order to cover the cost of training and  
7 testing for certification pursuant to this section, if the entity that  
8 provides the educational program is not reimbursed for the cost of  
9 that training and testing from the "Emergency Medical Technician  
10 Training Fund" established pursuant to section 3 of P.L.1992, c.143  
11 (C.26:2K-56).

12 (cf: P.L.2012, c.17, s.280)

13  
14 11. Section 3 of P.L.2003, c.1 (C.26:2K-47.3) is amended to  
15 read as follows:

16 3. Notwithstanding the provisions of any other law to the  
17 contrary, an emergency medical technician, first aid, ambulance or  
18 rescue squad, or other entity employing the services of an  
19 emergency medical technician certified to administer an  
20 epinephrine auto-injector device or epinephrine nasal spray  
21 pursuant to section 2 of this act may purchase, store or transport the  
22 devices or nasal sprays, as applicable, pursuant to an agreement  
23 with an emergency medical service, a hospital or a State licensed  
24 physician trained in emergency medicine, for the purpose of  
25 providing basic life support services as defined in section 1 of  
26 P.L.1985, c.351 (C.26:2K-21).

27 (cf: P.L.2003, c.1, s.3)

28  
29 12. Section 5 of P.L.2003, c.1 (C.26:2K-47.5) is amended to  
30 read as follows:

31 5. A person shall not advertise or disseminate information to  
32 the public that the person is certified to use an epinephrine auto-  
33 injector device or epinephrine nasal spray unless the person is  
34 authorized to do so pursuant to this act.

35 (cf: P.L.2003, c.1, s.5)

36  
37 13. Section 6 of P.L.2003, c.1 (C.26:2K-47.6) is amended to  
38 read as follows:

39 6. An emergency medical technician certified to administer an  
40 epinephrine auto-injector device or epinephrine nasal spray  
41 pursuant to section 2 of this act, licensed physician, hospital or its  
42 board of trustees, officers and members of the medical staff, nurses,  
43 paramedics or other employees of the hospital, or officers and  
44 members of a first aid, ambulance or rescue squad shall not be  
45 liable for any civil damages as the result of an act or the omission  
46 of an act committed while in training to administer, or in the

1 administration of, the device or nasal spray in good faith and in  
2 accordance with the provisions of this act.

3 (cf: P.L.2003, c.1, s.6)

4  
5 14. Section 8 of P.L.2003, c.1 (C.26:2K-47.8) is amended to  
6 read as follows:

7 8. Nothing in this act shall be construed to:

8 a. permit a person certified to administer an epinephrine auto-  
9 injector device or epinephrine nasal spray pursuant to section 2 of  
10 this act to perform the duties or fill the position of another health  
11 care professional employed by a hospital;

12 b. interfere with an emergency service training program  
13 authorized and operated under the provisions of the "New Jersey  
14 Highway Traffic Safety Act of 1987," P.L.1987, c.284 (C.27:5F-18  
15 et seq.);

16 c. prohibit the administration of an epinephrine auto-injector  
17 device or epinephrine nasal spray by a person acting pursuant to a  
18 lawful prescription or pursuant to the provisions of P.L.2015, c.215  
19 (C.24:6L-1 et seq.); or

20 d. prevent a licensed and qualified member of a health care  
21 profession from administering an epinephrine auto-injector device  
22 or epinephrine nasal spray if the duties are consistent with the  
23 accepted standards of the member's profession.

24 (cf: P.L.2003, c.1, s.8)

25  
26 15. Section 10 of P.L.2015, c.215 (C.26:2K-47.9) is amended to  
27 read as follows:

28 10. Pursuant to the "Administrative Procedure Act,"  
29 P.L.1968, c.410 (C.52:14B-1 et seq.), the Commissioner of Health  
30 shall adopt rules and regulations to effectuate the purposes of this  
31 act, including medical protocols for the administration of  
32 epinephrine auto-injector devices and epinephrine nasal sprays, in  
33 consultation with the State mobile intensive care advisory council  
34 and the EMS Council of New Jersey **【State First Aid Council, Inc】**.  
35 The rules and regulations shall address age appropriateness in the  
36 administration of epinephrine.

37 (cf: P.L.2012, c.17, s.281)

38  
39 16. Section 4 of P.L.2015, c.215 (C.26:2K-57) is amended to  
40 read as follows:

41 4. The commissioner, in accordance with recommendations  
42 adopted by the council, and within the limits of those monies in the  
43 fund, shall annually reimburse any private agency, organization or  
44 entity which is certified by the commissioner to provide training  
45 and testing for volunteer ambulance, first aid and rescue squad  
46 personnel who are seeking emergency medical technician-  
47 ambulance, or EMT-A, or emergency medical technician-  
48 defibrillation, or EMT-D, certification or recertification, or an

1 entity which provides an educational program in the administration  
2 of epinephrine auto-injector devices or epinephrine nasal sprays that  
3 is approved by the commissioner pursuant to P.L.2003, c.1  
4 (C.26:2K-47.1 et al.), and for which that entity is not otherwise  
5 reimbursed.

6 The priority for reimbursement from the fund to an agency,  
7 organization or entity for training and testing of volunteer  
8 ambulance, first aid and rescue squad personnel shall be in the  
9 following order: EMT-A certification, EMT-A recertification,  
10 EMT-D certification, EMT-D recertification and certification to  
11 administer epinephrine auto-injector devices and epinephrine nasal  
12 sprays pursuant to P.L.2003, c.1 (C.26:2K-47.1 et al.).  
13 (cf: P.L.2003, c.1, s.9)

14  
15 17. Section 3 of P.L.2015, c.231 (C.26:12-19) is amended to  
16 read as follows:

17 3. As used in this act:

18 "Commissioner" means the Commissioner of Health.

19 "Member of the youth camp community" means a person who is  
20 a camper at, or a staff member of, a youth camp.

21 "Professionally qualified health care provider" means a licensed  
22 health care professional whose authorized scope of practice  
23 includes the administration of medication, whether independently,  
24 or through a joint protocol or standing order from a physician.

25 "Trained designee" means a youth camp staff member who has  
26 been trained by the youth camp health director or, if the youth camp  
27 health director is not professionally qualified to administer  
28 epinephrine, by a professionally qualified health care provider, in  
29 the detection of anaphylaxis and the emergency administration of  
30 epinephrine using a pre-filled auto-injector mechanism, nasal spray,  
31 or both.

32 "Youth camp" means the same as that term is defined by section  
33 3 of P.L.1973, c.375 (C.26:12-3).

34 "Youth camp health director" means and includes a person, 18  
35 years of age or older, who meets the qualifications required by  
36 N.J.A.C.8:25-5.2 and who is responsible for the proper medical  
37 recordkeeping, care, and treatment of campers at a youth camp.  
38 Youth camps that do not have a health director who is a medical  
39 professional may use one of the following options: a youth camp  
40 health director trained in the emergency administration of  
41 epinephrine via **[a]** pre-filled auto-injector **[mechanism]**  
42 mechanisms, nasal sprays, or both, by the professionally qualified  
43 health care provider responsible for writing the prescription with  
44 documentation; an emergency medical technician certified in the  
45 emergency administration of epinephrine using auto-injector  
46 **[administration]** devices and nasal sprays; or an individual trained  
47 in the detection of anaphylaxis and the emergency administration of

1 epinephrine using **【a】** pre-filled auto-injector **【device】** devices,  
2 nasal sprays, or both.

3 "Youth camp operator" means the same as that term is defined by  
4 section 3 of P.L.1973, c.375 (C.26:12-3).  
5 (cf: P.L.2015, c.231, s.3)

6  
7 18. Section 4 of P.L.2015, c.231 (C.26:12-20) is amended to  
8 read as follows:

9 4. a. A youth camp operator, as part of a youth camp medical  
10 program, and in accordance with the provisions of the "New Jersey  
11 Youth Camp Safety Act," P.L.1973, c.375 (C.26:12-1 et seq.) and  
12 rules and regulations adopted by the Department of Health pursuant  
13 thereto, may develop a policy for the emergency administration of  
14 epinephrine via **【a】** pre-filled auto-injector **【mechanism】**  
15 mechanisms, nasal sprays, or both, to a member of the youth camp  
16 community for anaphylaxis when a professionally qualified health  
17 care provider is not immediately available. The policy shall:

18 (1) permit the youth camp health director and trained designees  
19 to administer epinephrine via a pre-filled auto-injector mechanism  
20 or nasal spray to a member of the youth camp community for whom  
21 the youth camp health director or trained designee is responsible,  
22 when the youth camp health director or trained designee believes, in  
23 good faith, that the member of the youth camp community is having  
24 an anaphylactic reaction; **【and】**

25 (2) permit the youth camp health director and trained designees,  
26 when responsible for the safety of one or more members of the  
27 youth camp community, to carry, in a secure but easily accessible  
28 location, a supply of pre-filled epinephrine auto-injectors,  
29 epinephrine nasal sprays, or both, that is prescribed under a  
30 standing protocol from a licensed physician or other authorized  
31 prescriber; and

32 (3) if the youth camp health director is not a medical  
33 professional, only permit the administration of epinephrine using  
34 pre-filled epinephrine auto-injector mechanisms if the youth camp  
35 health director has completed the training required for pre-filled  
36 epinephrine auto-injector mechanisms, and only permit the  
37 administration of epinephrine using nasal sprays if the youth camp  
38 health director has completed the training required for epinephrine  
39 nasal sprays. Nothing in this section shall be construed to prohibit a  
40 youth camp health director who is not a medical professional from  
41 completing training on the use of both pre-filled epinephrine auto-  
42 injector mechanisms and epinephrine nasal sprays.

43 b. If a youth camp develops a policy for the emergency  
44 administration of epinephrine via a pre-filled auto-injector  
45 mechanism or nasal spray, the youth camp operator, in cooperation  
46 with the youth camp health director, shall:

47 (1) maintain and adhere to a standardized training protocol for  
48 the emergency administration of epinephrine by trained designees

1 under the youth camp medical program, which training protocol  
2 shall be established and administered by a professionally qualified  
3 health care provider;

4 (2) ensure that trained designees have satisfactorily completed  
5 the training protocol;

6 (3) obtain and maintain a supply of pre-filled epinephrine auto-  
7 injectors, nasal sprays, or both, as applicable, pursuant to a standing  
8 protocol from a licensed physician or other authorized prescriber,  
9 for use by the youth camp health director and trained designees in  
10 emergency anaphylaxis situations; and

11 (4) establish protocols and one or more secure locations for the  
12 safe and accessible storage of the youth camp's supply of pre-filled  
13 epinephrine auto-injectors and epinephrine nasal sprays.

14 (cf: P.L.2015, c.231, s.4)

15  
16 19. Section 6 of P.L.2015, c.231 (C.26:12-22) is amended to  
17 read as follows:

18 6. Nothing in this act shall be construed to:

19 a. permit a trained designee to perform the duties or fill the  
20 position of a licensed medical professional;

21 b. prohibit the administration of a pre-filled epinephrine auto-  
22 injector mechanism or epinephrine nasal spray by a person acting  
23 pursuant to a lawful prescription or pursuant to the provisions of  
24 P.L.2015, c.215 (C.24:6L-1 et seq.);

25 c. prevent a licensed and qualified member of a health care  
26 profession from administering a pre-filled epinephrine auto-injector  
27 mechanism or epinephrine nasal spray if the duties are consistent  
28 with the accepted standards of practice applicable to the member's  
29 profession;

30 d. violate the "Athletic Training Licensure Act,"  
31 P.L.1984, c.203 (C.45:9-37.35 et seq.) in the event that a licensed  
32 athletic trainer administers epinephrine to a member of the youth  
33 camp community as a trained designee pursuant to this act; or

34 e. require written authorization from a camper's parent or  
35 guardian, or from any youth camp staff member, prior to the  
36 emergency administration of epinephrine when:

37 (1) there is no identified medical diagnosis involving risk of  
38 anaphylaxis on record with the youth camp health director; or

39 (2) there is a medical diagnosis involving risk of anaphylaxis  
40 recorded with the youth camp health director, but the pre-filled  
41 epinephrine auto-injector or epinephrine nasal spray was not  
42 provided to the youth camp by the camper or by the camper's parent  
43 or authorized guardian.

44 (cf: P.L.2015, c.231, s.6)

45  
46 20. This act shall take effect immediately.