

First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 23-0798.01 Shelby Ross x4510

SENATE BILL 23-299

SENATE SPONSORSHIP

Cutter,

HOUSE SPONSORSHIP

(None),

Senate Committees
Education

House Committees

A BILL FOR AN ACT

101 CONCERNING THE REQUIREMENT TO ACQUIRE EPINEPHRINE
102 AUTO-INJECTORS FOR PLACEMENT AT INSTITUTIONS OF HIGHER
103 EDUCATION.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill requires each institution of higher education (institution) to acquire and stock a supply of epinephrine auto-injectors in each student housing facility and cafeteria. The bill encourages each institution to place epinephrine auto-injectors in sufficient quantities in emergency public access stations to ensure reasonable availability to a person

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

perceived to be experiencing anaphylaxis.

The bill encourages the person, immediately after using an epinephrine auto-injector, to report the event to the institution's nurse, or the nurse's designee, so the nurse or nurse's designee can provide the appropriate follow-up care, which may include making a 911 emergency call.

The bill requires an institution to accept a donation of a supply of epinephrine auto-injectors that meets standards established by the federal food and drug administration, and to accept gifts, grants, and donations, including in-kind donations, designated for obtaining a supply of epinephrine auto-injectors.

The bill provides immunity for any person who acts in good faith to furnish or administer an epinephrine auto-injector to an individual the person believes is experiencing anaphylaxis.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 23-5-149 as
3 follows:

4 **23-5-149. Epinephrine auto-injectors at institutions of higher**
5 **education - immunity - short title.** (1) THE SHORT TITLE OF THIS
6 SECTION IS "SYDNEY MEEGAN'S LAW".

7 (2) EACH INSTITUTION OF HIGHER EDUCATION SHALL ACQUIRE AND
8 STOCK A SUPPLY OF EPINEPHRINE AUTO-INJECTORS IN EACH STUDENT
9 HOUSING FACILITY AND CAFETERIA.

10 (3) EACH INSTITUTION OF HIGHER EDUCATION IS ENCOURAGED,
11 BUT IS NOT REQUIRED, TO:

12 (a) PLACE EPINEPHRINE AUTO-INJECTORS IN SUFFICIENT
13 QUANTITIES TO ENSURE REASONABLE AVAILABILITY FOR USE BY A PERSON
14 PERCEIVED TO BE EXPERIENCING ANAPHYLAXIS; AND

15 (b) STORE EPINEPHRINE AUTO-INJECTORS IN AN EMERGENCY
16 PUBLIC ACCESS STATION PURSUANT TO ARTICLE 47 OF TITLE 25.

17 (4) ANY PERSON IS PERMITTED TO RETRIEVE AND USE AN

1 EPINEPHRINE AUTO-INJECTOR.

2 (5) IMMEDIATELY AFTER USING AN EPINEPHRINE AUTO-INJECTOR,
3 THE PERSON IS ENCOURAGED TO REPORT TO THE SCHOOL NURSE, TO THE
4 DESIGNEE OF THE SCHOOL NURSE, OR TO SOME OTHER ADULT AT THE
5 SCHOOL TO ENABLE THE SCHOOL NURSE, THE NURSE'S DESIGNEE, OR OTHER
6 ADULT TO PROVIDE THE APPROPRIATE FOLLOW-UP CARE, WHICH MAY
7 INCLUDE MAKING A 911 EMERGENCY CALL.

8 (6) AN INSTITUTION OF HIGHER EDUCATION SHALL ACCEPT A
9 DONATION OF A SUPPLY OF EPINEPHRINE AUTO-INJECTORS THAT MEETS
10 STANDARDS ESTABLISHED BY THE FEDERAL FOOD AND DRUG
11 ADMINISTRATION. AN INSTITUTION OF HIGHER EDUCATION SHALL ALSO
12 ACCEPT GIFTS, GRANTS, AND DONATIONS, INCLUDING IN-KIND DONATIONS,
13 DESIGNATED FOR OBTAINING A SUPPLY OF EPINEPHRINE AUTO-INJECTORS.

14 (7) A PERSON WHO ACTS IN GOOD FAITH TO FURNISH OR
15 ADMINISTER AN EPINEPHRINE AUTO-INJECTOR, INCLUDING AN EXPIRED
16 EPINEPHRINE AUTO-INJECTOR, TO AN INDIVIDUAL THE PERSON BELIEVES TO
17 BE EXPERIENCING ANAPHYLAXIS IS NOT LIABLE FOR ANY CIVIL DAMAGES
18 FOR ACTS OR OMISSIONS MADE AS A RESULT OF THE ACT OR FOR ANY ACT
19 OR OMISSION MADE IF THE EPINEPHRINE AUTO-INJECTOR IS STOLEN,
20 DEFECTIVE, OR PRODUCES AN UNINTENDED RESULT.

21 **SECTION 2. Safety clause.** The general assembly hereby finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, or safety.