FIRST ENGROSSMENT

Fifty-ninth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2163

Introduced by

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Senators G. Lee, Freborg, Taylor

Representatives Hunskor, Porter, Price

- 1 A BILL for an Act to create and enact a new section to chapter 15.1-19 of the North Dakota
- 2 Century Code, relating to students' possession and self-administration of medication for the
- 3 treatment of asthma and anaphylaxis.

4 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 15.1-19 of the North Dakota Century Code is created and enacted as follows:

Asthma - Anaphylaxis - Self-administration of medication by student - Liability.

- 1. A student who has been diagnosed with asthma or anaphylaxis may possess and self-administer emergency medication for the treatment of such conditions provided the student's parent files with the school a document that is signed by the student's health care provider and which:
 - a. Indicates that the student has been instructed in the self-administration of emergency medication for the treatment of asthma or anaphylaxis;
 - b. Lists the name, dosage, and frequency of all medication prescribed to the student for use in the treatment of the student's asthma or anaphylaxis; and
 - c. Includes guidelines for the treatment of the student in the case of an asthmatic episode or anaphylaxis.
- 2. Neither a school district nor any employee of the district is liable for civil damages incurred by:
 - A student who administers emergency medication to himself or herself in accordance with subsection 1.
 - An individual because a student was permitted to possess emergency medication in accordance with subsection 1.

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- 1 3. For purposes of this section, "emergency medication" includes a prescription drug
- 2 delivered by inhalation to alleviate asthmatic symptoms and an epinephrine
- 3 autoinjectable pen.

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