

HOUSE BILL NO. 1423

Introduced by

Representatives Mitskog, P. Anderson, Rick C. Becker, Muscha

1 A BILL for an Act to amend and reenact section 15.1-19-16 of the North Dakota Century Code,
2 relating to epinephrine autoinjectable pens.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 15.1-19-16 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **15.1-19-16. Asthma - Anaphylaxis - Self-administration of medication by student -**
7 **Liability.**

8 1. a. A student who has been diagnosed with asthma or anaphylaxis may possess and
9 self-administer emergency medication for the treatment of such conditions
10 provided the student's parent files with the school a document that is signed by
11 the student's health care provider and which:

12 a. (1) Indicates that the student has been instructed in the self-administration of
13 emergency medication for the treatment of asthma or anaphylaxis;

14 b. (2) Lists the name, dosage, and frequency of all medication prescribed to the
15 student for use in the treatment of the student's asthma or anaphylaxis; and

16 e. (3) Includes guidelines for the treatment of the student in the case of an
17 asthmatic episode or anaphylaxis.

18 2. b. Neither a private school or a school district nor any employee of the private
19 school or district is liable for civil damages incurred by:

20 a. (1) A student who administers emergency medication to himself or herself in
21 accordance with subsection 1.

22 b. (2) An individual because a student was permitted to possess emergency
23 medication in accordance with subsection 1.

