

2026 -- S 2855

LC005421

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS

Introduced By: Senators Lauria, DiMario, Valverde, Murray, Vargas, Ujifusa, Mack,
Felag, Urso, and Pearson

Date Introduced: March 04, 2026

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-21-22 of the General Laws in Chapter 16-21 entitled "Health and
2 Safety of Pupils" is hereby amended to read as follows:

3 ~~16-21-22. Allergic emergencies — Anaphylaxis — Use of epinephrine — Immunity~~
4 ~~for those administering~~ **Possession, stocking and administration of rescue medications for**
5 **asthma or acute bronchospasm, epinephrine, glucagon -- Immunity for those administering.**

6 (a) ~~The department of elementary and secondary education and the department of health~~
7 ~~shall incorporate into their policies, rules, and regulations pertaining to school health programs a~~
8 ~~procedure for addressing incidents of anaphylaxis (exaggerated allergic reaction) in order to~~
9 ~~provide for the health and safety of children who have been medically identified as being prone to~~
10 ~~anaphylaxis or who show evidence of anaphylaxis. The policies, rules, and regulations shall include~~
11 ~~a procedure whereby a parent or legal guardian of any child may expressly authorize the school~~
12 ~~department and school bus drivers and monitors to administer the epinephrine on his or her child~~
13 ~~in case of an emergency and ensures that the epinephrine is kept in a conspicuous place, readily~~
14 ~~available, and that their proper use is made known to school personnel. School bus drivers and~~
15 ~~monitors shall receive training in the administration of epinephrine. To treat a case of anaphylaxis,~~
16 ~~trained school bus drivers and/or monitors shall administer the epinephrine auto-injector to an~~
17 ~~identified student.~~

18 (b) ~~The policies, rules, and regulations shall also include a procedure to allow children to~~
19 ~~carry and use prescription inhalers, and auto-injectable epinephrine, while in school, at a school-~~

1 ~~sanctioned function or event, or in transit to and from school or school-sanctioned function or event~~
2 ~~by the school bus service provider; when prescribed by a licensed individual with prescriptive~~
3 ~~privileges. Children who need to carry prescription inhalers and/or auto-injectable epinephrine shall~~
4 ~~provide the school and the school bus service provider with medical documentation that the inhaler~~
5 ~~and/or auto-injectable epinephrine has been legitimately prescribed and that the child needs to carry~~
6 ~~it on his or her person due to a medical condition, but no child shall be disciplined solely for failure~~
7 ~~to provide this documentation in advance.~~

8 ~~(e) Parents shall provide a doctor's letter or prescription notifying the school and the school~~
9 ~~bus service provider of their child's allergy and the need to administer epinephrine in an allergic~~
10 ~~emergency.~~

11 ~~(d)~~ The department of elementary and secondary education or the department of health
12 shall develop and implement policies permitting a student with a diagnosis of asthma, a condition
13 that may lead to bronchospasm or anaphylaxis, or both, to possess and self-administer inhaled
14 asthma medications or auto-injectable or intranasal epinephrine, or both, during the school day, at
15 school-sponsored activities, or while on a school bus or other school property. Such policies shall
16 include, but not be limited to, provisions for:

17 (1) Written consent of the parent or legal guardian of a student with a diagnosis of asthma,
18 a condition that may lead to bronchospasm or anaphylaxis, or both, that the student may self-
19 administer inhaled asthma medications or auto-injectable or intranasal epinephrine, or both.

20 (2) Written notice from the student's primary care provider or specialist that:

21 (i) Identifies the student;

22 (ii) States that the student has a diagnosis of asthma, a condition that may lead to
23 bronchospasm or anaphylaxis, or both, and has approval to self-administer inhaled asthma
24 medications or auto-injectable or intranasal epinephrine, or both, that have been prescribed or
25 authorized for the student;

26 (iii) Specifies the name and dosage of the medication, the frequency in which it is to be
27 administered and certain circumstances which may warrant the use of inhaled asthma medications
28 or auto-injectable or nasal epinephrine, such as before exercising or engaging in physical activity
29 to prevent the onset of asthma symptoms (such as shortness of breath, wheeze, cough) or to alleviate
30 asthma symptoms after the onset of an asthma episode; and

31 (iv) Attests to the student's demonstrated ability to safely and effectively self-administer
32 inhaled asthma medications or auto-injectable or nasal epinephrine, or both.

33 (3) Development of an individualized health care plan, including emergency procedures
34 for any life-threatening conditions, if one does not already exist.

1 **(b) The department of elementary and secondary education or the department of health**
2 **shall adopt and implement policies for the possession and administration of a stock of undesignated**
3 **auto-injector or nasal epinephrine in every school, to be administered by any school teacher, school**
4 **administrator, or school healthcare personnel, school bus driver, school bus monitor, or any other**
5 **school personnel who is authorized and trained in the administration of auto-injector or nasal**
6 **epinephrine to any student believed to be having an anaphylactic reaction.**

7 **(c) The department of elementary and secondary education or the department of health**
8 **shall adopt and implement policies for the possession and administration of a stock of undesignated**
9 **FDA-approved rescue inhalers and valved holding chambers in every school, to be administered**
10 **by any school teacher, school administrator, or school healthcare personnel, school bus driver,**
11 **school bus monitor, or any other school personnel who is authorized and trained in the**
12 **administration of FDA-approved rescue inhalers and valved holding chambers for any student**
13 **believed in good faith to be in need of such medication who is experiencing bronchospasm or other**
14 **asthma symptoms.**

15 **(d) The department of elementary and secondary education or the department of health**
16 **shall adopt and implement policies for the possession and administration of a stock of undesignated**
17 **ready to use nasal or injectable glucagon in every school, to be administered by any school teacher,**
18 **school administrator, or school healthcare personnel, school bus driver, school bus monitor, or any**
19 **other school personnel who is authorized and trained in the administration of ready to use nasal or**
20 **injectable glucagon for any student believed in good faith to be in need of such medication, such**
21 **as symptoms of hypoglycemia.**

22 **(e) Any school shall maintain a supply of ready to use nasal or injectable glucagon, FDA-**
23 **approved rescue inhalers, valved holding chambers, and nasal or auto-injector forms of**
24 **epinephrine, in any secure location that is immediately accessible to any school teacher, school**
25 **administrator, school healthcare personnel, school bus driver, school bus monitor, or any other**
26 **school personnel trained in the administration of these medications. Any school shall ensure that**
27 **such an emergency supply consists of at least two (2) doses each of: nasal or injectable glucagon,**
28 **FDA-approved rescue inhalers, valved holding chambers, and nasal or auto-injector forms of**
29 **epinephrine.**

30 **(f) Any school may accept donations of nasal or injectable glucagon, FDA-approved rescue**
31 **inhalers, valved holding chambers, and nasal or auto-injector forms of epinephrine from a licensed**
32 **wholesale distributor, manufacturer, pharmacy, or other organization.**

33 **(g) No school teacher, school administrator, or school healthcare personnel, school bus**
34 **driver, school bus monitor, or any other school personnel shall be liable for civil damages which**

1 may result from acts or omissions in use of ~~the~~ nasal or injectable glucagon, FDA-approved rescue
2 inhalers, valved holding chambers, and nasal or auto-injector forms of epinephrine which may
3 constitute ordinary negligence; nor shall the school personnel mentioned in this subsection be liable
4 for civil damages which may result from acts or omissions in the use of prescription inhalers by
5 children which may constitute ordinary negligence. This immunity does not apply to acts or
6 omissions constituting gross negligence or willful or wanton conduct. For the purposes of
7 determining immunity from liability ~~under subsection (d) only~~, the term “other school personnel”
8 shall include any private entity providing school bus services and individual school bus drivers and
9 monitors employed or otherwise engaged by such school bus service entities.

10 ~~(e) School physicians may execute standing orders and prescriptions for school nurses to~~
11 ~~use epinephrine when there are symptoms of anaphylaxis. The school department may permit each~~
12 ~~school within their jurisdiction to maintain epinephrine in cartridge injections for the purpose of~~
13 ~~emergency first aid to students who experience allergic reactions. The department’s policies, rules,~~
14 ~~and regulations shall also include the conditions and procedures for the storage and administration~~
15 ~~of epinephrine for the purpose of emergency first aid to students who experience allergic reactions.~~

16 ~~(f) The student’s parent or guardian is responsible for supplying and replacing, when~~
17 ~~necessary, all prescription medication that is authorized pursuant to this section.~~

18 SECTION 2. This act shall take effect on January 1, 2027.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS

1 This act would require the department of elementary and secondary education or the
2 department of health to develop and implement policies to allow students diagnosed with asthma,
3 a condition that may lead to bronchospasm or anaphylaxis, or both, to carry and self-administer
4 asthma medication or auto-injectable or intranasal epinephrine, or both. This act would further
5 provide immunity to any school teacher, school administrator, or school healthcare personnel,
6 school bus driver, school bus monitor, or any other school personnel for civil damages which may
7 result from the administration of such medications.

8 This act would take effect on January 1, 2027.

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