

2026 -- H 7617 SUBSTITUTE A

LC004770/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO HEALTH AND SAFETY -- HEALTH AND SAFETY OF PUPILS

Introduced By: Representatives Donovan, Cotter, Boylan, Speakman, Fogarty, Biah, and
Tanzi

Date Introduced: February 11, 2026

Referred To: House Education

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.**

5 (a) The department of elementary and secondary education and the department of health
6 shall incorporate into their policies, rules, and regulations pertaining to school health programs a
7 procedure for addressing incidents of anaphylaxis (exaggerated allergic reaction) in order to
8 provide for the health and safety of children who have been medically identified as being prone to
9 anaphylaxis or who show evidence of anaphylaxis. The policies, rules, and regulations shall include
10 a procedure whereby a parent or legal guardian of any child may expressly authorize the school
11 department and school bus drivers and monitors to administer the epinephrine on his or her child
12 in case of an emergency and ensures that the epinephrine is kept in a conspicuous place, readily
13 available, and that their proper use is made known to school personnel. School bus drivers and
14 monitors shall receive training in the administration of epinephrine. To treat a case of anaphylaxis,
15 trained school bus drivers and/or monitors shall administer the epinephrine ~~auto-injector~~ [delivery](#)
16 [devices approved by the United States Food and Drug Administration, or epinephrine nasal spray,](#)
17 [as applicable.](#) to an 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 (c) 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) No school teacher, school administrator, or school healthcare personnel, school bus
12 driver, school bus monitor, or any other school personnel shall be liable for civil damages which
13 may result from acts or omissions in use of the epinephrine which may constitute ordinary
14 negligence; nor shall the school personnel mentioned in this subsection be liable for civil damages
15 which may result from acts or omissions in the use of prescription inhalers by children which may
16 constitute ordinary negligence. This immunity does not apply to acts or omissions constituting
17 gross negligence or willful or wanton conduct. For the purposes of determining immunity from
18 liability under subsection (d) only, the term "other school personnel" shall include any private entity
19 providing school bus services and individual school bus drivers and monitors employed or
20 otherwise engaged by such school bus service entities.

21 (e) School physicians may execute standing orders and prescriptions for school nurses to
22 use epinephrine when there are symptoms of anaphylaxis. The school department may permit each
23 school within their jurisdiction to maintain epinephrine in cartridge injections for the purpose of
24 emergency first aid to students who experience allergic reactions. The department's policies, rules,
25 and regulations shall also include the conditions and procedures for the storage and administration
26 of epinephrine for the purpose of emergency first aid to students who experience allergic reactions.

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

29 (g) The administration, use, or maintenance of epinephrine provided for under the
30 provisions of this section shall be deemed to include epinephrine delivery devices approved by the
31 United States Food and Drug Administration, cartridges, and nasal sprays.

32 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO HEALTH AND SAFETY -- HEALTH AND SAFETY OF PUPILS

1 This act would provide that where the administration, use, or maintenance of epinephrine
2 within schools and on buses is authorized, this use would include epinephrine delivery devices
3 approved by the United States Food and Drug Administration and epinephrine nasal sprays.

4 This act would take effect upon passage.

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