



State of New Jersey

DEPARTMENT OF EDUCATION

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March 3, 2015

TO: Chief School Administrators
Charter School Lead Persons
Administrators of Nonpublic Schools
Administrators of Approved Schools for Students with Disabilities

FROM: Susan Martz, Assistant Commissioner
Division of Student Services and Career Readiness

SUBJECT: New Epinephrine Requirements for Schools

Please share with
your school
physician(s) and
school nurse(s).

On February 5, 2015, an act concerning the emergency administration of epinephrine to students for anaphylaxis (*P.L. 2015, c.13*), was signed into law. The purpose of this memorandum is to inform you of the new requirements as a result of the law and its impact on school health policies and practices. The provisions of the new law go into effect at the start of the 2015-16 school year.

In addition to the current requirements for public school districts and nonpublic schools on the development of policies for emergency administration of epinephrine to students at *N.J.S.A. 18A:40-12.5*, under *P.L.2015, c.13* the policy developed by the district board of education or chief school administrator of a nonpublic school shall:

1. Require each public and nonpublic school to maintain in a secure but unlocked and easily accessible location a supply of epinephrine auto-injectors that is prescribed under a standing protocol by a licensed physician or an advanced practice nurse and is accessible to the school nurse and trained designees for administration to a student having an anaphylactic reaction; and
2. Permit the school nurse or trained designee to administer epinephrine via a pre-filled auto-injector mechanism **to any student without a known history of anaphylaxis when the nurse or trained designee in good faith believes the student is having an anaphylactic reaction or any student whose parent has not:**
 - a) provided written authorization for the administration of epinephrine (*N.J.S.A. 18A:40-12.5a*);
 - b) provided written orders from the physician or advanced practice nurse that the student requires epinephrine for anaphylaxis (*N.J.S.A. 18A:40-12.5b*);

- c) received written notice from the board of education (BOE) or nonpublic school chief school administrator that the agencies and their employees or agents have no liability as a result of an injury arising from the administration of epinephrine (*N.J.S.A.* 18A:4012.5c); and
- d) signed a statement releasing the BOE or nonpublic school of liability (*N.J.S.A.* 18A:40-12.5d).

Finally, *N.J.S.A.* 18A:40-12.6 is amended to include language that protects licensed athletic trainers who volunteer to administer epinephrine by specifying that in doing so, this does not constitute a violation of the “Athletic Training Licensure Act.”

Thank you for your continued efforts in keeping our students safe, healthy and in school. If you have any questions, you may access the new law at http://www.njleg.state.nj.us/2014/Bills/PL15/13_.HTM or send an email to schoolhealthservices@doe.state.nj.us.

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