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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3959

02/19/2024 Authored by Virnig; Clardy; Hansen, R.; Huot; Reyer and others
The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act
1.2 relating to education; modifying requirements for administering epinephrine
1.3 auto-injectors in schools; amending Minnesota Statutes 2022, section 121A.2207,
1.4 subdivision 1.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2022, section 121A.2207, subdivision 1, is amended to
1.7 read:

1.8 Subdivision 1. **Districts and schools permitted to maintain supply.** (a) Notwithstanding
1.9 section 151.37, districts and schools may obtain and possess epinephrine auto-injectors to
1.10 be maintained and administered by school personnel to a student or other individual if, in
1.11 good faith, it is determined that person is experiencing anaphylaxis regardless of whether
1.12 the student or other individual has a prescription for an epinephrine auto-injector. The
1.13 administration of an epinephrine auto-injector in accordance with this section is not the
1.14 practice of medicine.

1.15 (b) Registered nurses may administer epinephrine auto-injectors in a school setting
1.16 according to a condition-specific protocol as authorized under section 148.235, subdivision
1.17 8. Notwithstanding any limitation in sections 148.171 to 148.285, licensed practical nurses
1.18 may administer epinephrine auto-injectors in a school setting according to a condition-specific
1.19 protocol that does not reference a specific patient and that specifies the circumstances under
1.20 which the epinephrine auto-injector is to be administered, when caring for a patient whose
1.21 condition falls within the protocol.

1.22 **EFFECTIVE DATE.** This section is effective July 1, 2024.