

## **BILL ANALYSIS**

Senate Research Center  
81R28060 CAS-D

H.B. 4407  
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Education  
5/20/2009  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, no treatment for anaphylaxis is available at Texas public schools in which a nurse serves in a part-time or full-time capacity.

Anaphylaxis is a severe and potentially life-threatening allergic reaction. It can affect various areas of the body including the skin, respiratory tract, gastrointestinal tract, and cardiovascular system. Therefore, early recognition and prompt treatment is essential to preserve life.

Symptoms of anaphylaxis usually begin quickly after an exposure, minutes after a sting or bite and within 30 to 60 minutes following ingestion or exposure to an allergen. Oftentimes, a first reaction occurs and is diagnosed during childhood. Therefore, availability of anaphylaxis treatment in Texas public schools is necessary.

This bill requires all campuses with a full-time or part-time nurse to maintain a supply of anaphylaxis medicine to be administered on campus to persons experiencing an anaphylactic reaction. The bill requires the commissioner of education (commissioner), by rule, to establish the amount of anaphylaxis medicine that must be maintained at a campus. The bill requires the commissioner to determine the amount by consulting with one or more physicians experienced in treating persons experiencing an anaphylactic reaction.

This bill also requires standardized procedures for responding to an on-campus anaphylactic event to be adopted and requires each school district to maintain a physician's standing order under which a school nurse is authorized to administer anaphylaxis medicine to a person on campus experiencing an anaphylactic reaction and to maintain a supply of anaphylaxis medication on the campus.

H.B. 4407 amends current law relating to rules concerning administration and maintenance of anaphylaxis medicine on public school campuses.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 38.0151, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter A, Chapter 38, Education Code, by adding Section 38.0151, as follows:

Sec. 38.0151. RULES CONCERNING ADMINISTRATION AND MAINTENANCE OF ANAPHYLAXIS MEDICINE ON CAMPUS. (a) Requires the commissioner of education (commissioner) by rule to adopt standardized procedures for school personnel to follow if a person on campus experiences an anaphylactic reaction; requires each school district to maintain a physician's standing order under which a school nurse is authorized to administer anaphylaxis medicine to a person on campus experiencing an anaphylactic reaction, and requires a district to maintain at each campus at which a school nurse serves on a part-time or full-time basis a supply on anaphylaxis medicine for administration to a person on campus experiencing an anaphylactic reaction for the first time.

(b) Requires the commissioner, in adopting rules under Subsection (a), to consult with one or more physicians experienced in treating persons experiencing an anaphylactic reaction.

SECTION 2. Effective date: upon passage or September 1, 2009.