



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

SB2878

Introduced 2/17/2016, by Sen. Chris Nybo

#### SYNOPSIS AS INTRODUCED:

20 ILCS 2610/40 new  
50 ILCS 705/10.19 new  
410 ILCS 620/3.21  
30 ILCS 805/8.40 new

from Ch. 56 1/2, par. 503.21

Amends the State Police Act and the Illinois Police Training Act creating the Annie LeGere Law. Provides that the Department of State Police and the Illinois Law Enforcement Training Standards Board may conduct or approve training programs for officers to recognize and respond to anaphylaxis including the administration of an epinephrine auto-injector. Provides that the Department of State Police or a local governmental agency may authorize officers to carry, administer, or assist in the administration of epinephrine auto-injectors if they have completed the requiring training and provide for written policies on the use of epinephrine auto-injectors. Limits liability for use of epinephrine auto-injectors by police officers. Amends the State Mandates Act to require implementation without reimbursement.

LRB099 20707 AWJ 45335 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The State Police Act is amended by adding  
5 Section 40 as follows:

6 (20 ILCS 2610/40 new)

7 Sec. 40. Training; administration of epinephrine.

8 (a) This Section, along with Section 10.19 of the Illinois  
9 Police Training Act, may be referred to as the Annie LeGere  
10 Law.

11 (b) For the purposes of this Section, "epinephrine  
12 auto-injector" means a single-use device used for the automatic  
13 injection of a pre-measured dose of epinephrine into the human  
14 body prescribed in the name of the Department.

15 (c) The Department may conduct or approve a training  
16 program for State Police officers to recognize and respond to  
17 anaphylaxis including, but not limited to:

18 (1) how to recognize symptoms of an allergic reaction;

19 (2) how to respond to an emergency involving an  
20 allergic reaction;

21 (3) how to administer an epinephrine auto-injector;

22 (4) how to respond to an individual with a known  
23 allergy as well as an individual with a previously unknown

1 allergy;

2 (5) a test demonstrating competency of the knowledge  
3 required to recognize anaphylaxis and administer an  
4 epinephrine auto-injector; and

5 (6) other criteria as determined in rules adopted by  
6 the Department.

7 (d) The Department may authorize a State Police officer who  
8 has completed the training program under subsection (c) to  
9 carry, administer, or assist with the administration of  
10 epinephrine auto-injectors whenever he or she is performing  
11 official duties.

12 (e) The Department must establish a written policy to  
13 control the acquisition, storage, transportation,  
14 administration, and disposal of epinephrine auto-injectors  
15 before it allows any State Police officer to carry and  
16 administer epinephrine auto-injectors.

17 (f) A physician, physician's assistant, or advanced  
18 practice registered nurse may provide a standing protocol or  
19 prescription for epinephrine auto-injectors in the name of the  
20 Department to be maintained for use when necessary.

21 (g) When a State Police officer administers epinephrine  
22 auto-injector in good faith, the officer and the Department,  
23 and its employees and agents, incur no liability, except for  
24 willful and wanton conduct, as a result of any injury or death  
25 arising from the use of an epinephrine auto-injector.

1 Section 10. The Illinois Police Training Act is amended by  
2 adding Section 10.19 as follows:

3 (50 ILCS 705/10.19 new)

4 Sec. 10.19. Training; administration of epinephrine.

5 (a) This Section, along with Section 40 of the State Police  
6 Act, may be referred to as the Annie LeGere Law.

7 (b) For purposes of this Section, "epinephrine  
8 auto-injector" means a single-use device used for the automatic  
9 injection of a pre-measured dose of epinephrine into the human  
10 body prescribed in the name of a local governmental agency.

11 (c) The Board shall conduct or approve an optional advanced  
12 training program for police officers to recognize and respond  
13 to anaphylaxis including the administration of an epinephrine  
14 auto-injector. The training must include, but is not limited  
15 to:

16 (1) how to recognize symptoms of an allergic reaction;

17 (2) how to respond to an emergency involving an  
18 allergic reaction;

19 (3) how to administer an epinephrine auto-injector;

20 (4) how to respond to an individual with a known  
21 allergy as well as an individual with a previously unknown  
22 allergy;

23 (5) a test demonstrating competency of the knowledge  
24 required to recognize anaphylaxis and administer an  
25 epinephrine auto-injector; and

1           (6) other criteria as determined in rules adopted by  
2           the Board.

3           (d) A local governmental agency may authorize a police  
4           officer who has completed an optional advanced training program  
5           under subsection (c) to carry, administer, or assist with the  
6           administration of epinephrine auto-injectors provided by the  
7           local governmental agency whenever he or she is performing  
8           official duties.

9           (e) A local governmental agency that authorizes its  
10           officers to carry and administer epinephrine auto-injectors  
11           under subsection (d) must establish a policy to control the  
12           acquisition, storage, transportation, administration, and  
13           disposal of epinephrine auto-injectors and to provide  
14           continued training in the administration of epinephrine  
15           auto-injectors.

16           (f) A physician, physician's assistant, or advanced  
17           practice registered nurse may provide a standing protocol or  
18           prescription for epinephrine auto-injectors in the name of a  
19           local governmental agency to be maintained for use when  
20           necessary.

21           (g) When a police officer administers an epinephrine  
22           auto-injector in good faith, the police officer and local  
23           governmental agency, and its employees and agents, incur no  
24           liability, except for willful and wanton conduct, as a result  
25           of any injury or death arising from the use of an epinephrine  
26           auto-injector.

1 Section 15. The Illinois Food, Drug and Cosmetic Act is  
2 amended by changing Section 3.21 as follows:

3 (410 ILCS 620/3.21) (from Ch. 56 1/2, par. 503.21)

4 Sec. 3.21. Except as authorized by this Act, the Illinois  
5 Controlled Substances Act, the Pharmacy Practice Act, the  
6 Dental Practice Act, the Medical Practice Act of 1987, the  
7 Veterinary Medicine and Surgery Practice Act of 2004, the  
8 Podiatric Medical Practice Act of 1987, or Section 22-30 of the  
9 School Code, Section 40 of the State Police Act, or Section  
10 10.19 of the Illinois Police Training Act to sell or dispense a  
11 prescription drug without a prescription.

12 (Source: P.A. 99-78, eff. 7-20-15.)

13 Section 90. The State Mandates Act is amended by adding  
14 Section 8.40 as follows:

15 (30 ILCS 805/8.40 new)

16 Sec. 8.40. Exempt mandate. Notwithstanding Sections 6 and 8  
17 of this Act, no reimbursement by the State is required for the  
18 implementation of any mandate created by this amendatory Act of  
19 the 99th General Assembly.