

1 AN ACT concerning health.

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

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

6 (20 ILCS 2610/40)

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, "FDA approved  
12 epinephrine delivery device or product" ~~"epinephrine~~  
13 ~~auto injector"~~ means a single-use device used for the  
14 automatic injection of a pre-measured dose of epinephrine into  
15 the human body prescribed in the name of the Illinois State  
16 Police.

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

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

21 (2) how to respond to an emergency involving an  
22 allergic reaction;

23 (3) how to administer an FDA approved epinephrine

1 delivery device or product ~~epinephrine auto-injector~~;

2 (4) how to respond to an individual with a known  
3 allergy as well as an individual with a previously unknown  
4 allergy;

5 (5) a test demonstrating competency of the knowledge  
6 required to recognize anaphylaxis and administer an FDA  
7 approved epinephrine delivery device or product  
8 ~~epinephrine auto-injector~~; and

9 (6) other criteria as determined in rules adopted by  
10 the Illinois State Police.

11 (d) The Illinois State Police may authorize a State Police  
12 officer who has completed the training program under  
13 subsection (c) to carry, administer, or assist with the  
14 administration of FDA approved epinephrine delivery devices or  
15 products ~~epinephrine auto-injectors~~ whenever he or she is  
16 performing official duties.

17 (e) The Illinois State Police must establish a written  
18 policy to control the acquisition, storage, transportation,  
19 administration, and disposal of FDA approved epinephrine  
20 delivery devices or products ~~epinephrine auto-injectors~~ before  
21 it allows any State Police officer to carry and administer FDA  
22 approved epinephrine delivery devices or products ~~epinephrine~~  
23 ~~auto-injectors~~.

24 (f) A physician, physician assistant with prescriptive  
25 authority, or advanced practice registered nurse with  
26 prescriptive authority may provide a standing protocol or

1 prescription for FDA approved epinephrine delivery devices or  
2 products ~~epinephrine auto-injectors~~ in the name of the  
3 Illinois State Police to be maintained for use when necessary.

4 (g) When a State Police officer administers an FDA  
5 approved epinephrine delivery device or product ~~epinephrine~~  
6 ~~auto-injector~~ in good faith, the officer and the Illinois  
7 State Police, and its employees and agents, including a  
8 physician, physician assistant with prescriptive authority, or  
9 advanced practice registered nurse with prescriptive authority  
10 who provides a standing order or prescription for an FDA  
11 approved epinephrine delivery device or product ~~epinephrine~~  
12 ~~auto-injector~~, incur no civil or professional liability,  
13 except for willful and wanton conduct, as a result of any  
14 injury or death arising from the use of an ~~epinephrine~~  
15 ~~auto-injector~~.

16 (Source: P.A. 102-538, eff. 8-20-21; 102-558, eff. 8-20-21.)

17 Section 10. The Illinois Police Training Act is amended by  
18 changing Section 10.19 as follows:

19 (50 ILCS 705/10.19)

20 Sec. 10.19. Training; administration of epinephrine.

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

23 (b) For purposes of this Section, "FDA approved  
24 epinephrine delivery device or product" ~~"epinephrine~~

1 ~~auto-injector~~" means a single-use device used for the  
2 automatic injection of a pre-measured dose of epinephrine into  
3 the human body prescribed in the name of a local law  
4 enforcement agency.

5 (c) The Board shall conduct or approve an optional  
6 advanced training program for law enforcement officers to  
7 recognize and respond to anaphylaxis, including the  
8 administration of an FDA approved epinephrine delivery device  
9 or product ~~epinephrine auto-injector~~. The training must  
10 include, but is not limited to:

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

12 (2) how to respond to an emergency involving an  
13 allergic reaction;

14 (3) how to administer an FDA approved epinephrine  
15 delivery device or product ~~epinephrine auto-injector~~;

16 (4) how to respond to an individual with a known  
17 allergy as well as an individual with a previously unknown  
18 allergy;

19 (5) a test demonstrating competency of the knowledge  
20 required to recognize anaphylaxis and administer an FDA  
21 approved epinephrine delivery device or product  
22 ~~epinephrine auto-injector~~; and

23 (6) other criteria as determined in rules adopted by  
24 the Board.

25 (d) A local law enforcement agency may authorize a law  
26 enforcement officer who has completed an optional advanced

1 training program under subsection (c) to carry, administer, or  
2 assist with the administration of FDA approved epinephrine  
3 delivery devices or products ~~epinephrine auto-injectors~~  
4 provided by the local law enforcement agency whenever the  
5 officer is performing official duties.

6 (e) A local law enforcement agency that authorizes its  
7 officers to carry and administer FDA approved epinephrine  
8 delivery devices or products ~~epinephrine auto-injectors~~ under  
9 subsection (d) must establish a policy to control the  
10 acquisition, storage, transportation, administration, and  
11 disposal of FDA approved epinephrine delivery devices or  
12 products ~~epinephrine auto-injectors~~ and to provide continued  
13 training in the administration of FDA approved epinephrine  
14 delivery devices or products ~~epinephrine auto-injectors~~.

15 (f) A physician, physician assistant with prescriptive  
16 authority, or advanced practice registered nurse with  
17 prescriptive authority may provide a standing protocol or  
18 prescription for FDA approved epinephrine delivery devices or  
19 products ~~epinephrine auto-injectors~~ in the name of a local law  
20 enforcement agency to be maintained for use when necessary.

21 (g) When a law enforcement officer administers an FDA  
22 approved epinephrine delivery device or product ~~epinephrine~~  
23 ~~auto-injector~~ in good faith, the law enforcement officer and  
24 local law enforcement agency, and its employees and agents,  
25 including a physician, physician assistant with prescriptive  
26 authority, or advanced practice registered nurse with

1 prescriptive authority who provides a standing order or  
2 prescription for an FDA approved epinephrine delivery device  
3 or product ~~epinephrine auto injector~~, incur no civil or  
4 professional liability, except for willful and wanton conduct,  
5 or as a result of any injury or death arising from the use of  
6 an FDA approved epinephrine delivery device or product  
7 ~~epinephrine auto injector~~.

8 (Source: P.A. 102-538, eff. 8-20-21; 102-694, eff. 1-7-22;  
9 103-154, eff. 6-30-23.)

10 Section 15. The School Code is amended by changing Section  
11 22-30 as follows:

12 (105 ILCS 5/22-30)

13 Sec. 22-30. Self-administration and self-carry of asthma  
14 medication and FDA approved epinephrine delivery devices or  
15 products ~~epinephrine injectors~~; administration of undesignated  
16 FDA approved epinephrine delivery devices or products  
17 ~~epinephrine injectors~~; administration of an opioid antagonist;  
18 administration of undesignated asthma medication; supply of  
19 undesignated oxygen tanks; asthma episode emergency response  
20 protocol.

21 (a) For the purpose of this Section only, the following  
22 terms shall have the meanings set forth below:

23 "Asthma action plan" means a written plan developed with a  
24 pupil's medical provider to help control the pupil's asthma.

1 The goal of an asthma action plan is to reduce or prevent  
2 flare-ups and emergency department visits through day-to-day  
3 management and to serve as a student-specific document to be  
4 referenced in the event of an asthma episode.

5 "Asthma episode emergency response protocol" means a  
6 procedure to provide assistance to a pupil experiencing  
7 symptoms of wheezing, coughing, shortness of breath, chest  
8 tightness, or breathing difficulty.

9 "FDA approved epinephrine delivery device or product"

10 ~~"Epinephrine injector"~~ includes an auto-injector approved by  
11 the United States Food and Drug Administration for the  
12 administration of epinephrine and a pre-filled syringe  
13 approved by the United States Food and Drug Administration and  
14 used for the administration of epinephrine that contains a  
15 pre-measured dose of epinephrine that is equivalent to the  
16 dosages used in an auto-injector.

17 "Asthma medication" means quick-relief asthma medication,  
18 including albuterol or other short-acting bronchodilators,  
19 that is approved by the United States Food and Drug  
20 Administration for the treatment of respiratory distress.

21 "Asthma medication" includes medication delivered through a  
22 device, including a metered dose inhaler with a reusable or  
23 disposable spacer or a nebulizer with a mouthpiece or mask.

24 "Opioid antagonist" means a drug that binds to opioid  
25 receptors and blocks or inhibits the effect of opioids acting  
26 on those receptors, including, but not limited to, naloxone

1 hydrochloride or any other similarly acting drug approved by  
2 the U.S. Food and Drug Administration.

3 "Respiratory distress" means the perceived or actual  
4 presence of wheezing, coughing, shortness of breath, chest  
5 tightness, breathing difficulty, or any other symptoms  
6 consistent with asthma. Respiratory distress may be  
7 categorized as "mild-to-moderate" or "severe".

8 "School nurse" means a registered nurse working in a  
9 school with or without licensure endorsed in school nursing.

10 "Self-administration" means a pupil's discretionary use of  
11 his or her prescribed asthma medication or FDA approved  
12 epinephrine delivery device or product ~~epinephrine injector~~.

13 "Self-carry" means a pupil's ability to carry his or her  
14 prescribed asthma medication or FDA approved epinephrine  
15 delivery device or product ~~epinephrine injector~~.

16 "Standing protocol" may be issued by (i) a physician  
17 licensed to practice medicine in all its branches, (ii) a  
18 licensed physician assistant with prescriptive authority, or  
19 (iii) a licensed advanced practice registered nurse with  
20 prescriptive authority.

21 "Trained personnel" means any school employee or volunteer  
22 personnel authorized in Sections 10-22.34, 10-22.34a, and  
23 10-22.34b of this Code who has completed training under  
24 subsection (g) of this Section to recognize and respond to  
25 anaphylaxis, an opioid overdose, or respiratory distress.

26 "Undesignated asthma medication" means asthma medication

1 prescribed in the name of a school district, public school,  
2 charter school, or nonpublic school.

3 "Undesignated FDA approved epinephrine delivery device or  
4 product ~~epinephrine injector~~" means an FDA approved  
5 epinephrine delivery device or product ~~epinephrine injector~~  
6 prescribed in the name of a school district, public school,  
7 charter school, or nonpublic school.

8 (b) A school, whether public, charter, or nonpublic, must  
9 permit the self-administration and self-carry of asthma  
10 medication by a pupil with asthma or the self-administration  
11 and self-carry of an FDA approved epinephrine delivery device  
12 or product ~~epinephrine injector~~ by a pupil, provided that:

13 (1) the parents or guardians of the pupil provide to  
14 the school (i) written authorization from the parents or  
15 guardians for (A) the self-administration and self-carry  
16 of asthma medication or (B) the self-carry of asthma  
17 medication or (ii) for (A) the self-administration and  
18 self-carry of an FDA approved epinephrine delivery device  
19 or product ~~epinephrine injector~~ or (B) the self-carry of  
20 an FDA approved epinephrine delivery device or product  
21 ~~epinephrine injector~~, written authorization from the  
22 pupil's physician, physician assistant, or advanced  
23 practice registered nurse; and

24 (2) the parents or guardians of the pupil provide to  
25 the school (i) the prescription label, which must contain  
26 the name of the asthma medication, the prescribed dosage,

1 and the time at which or circumstances under which the  
2 asthma medication is to be administered, or (ii) for the  
3 self-administration or self-carry of an FDA approved  
4 epinephrine delivery device or product ~~epinephrine~~  
5 ~~injector~~, a written statement from the pupil's physician,  
6 physician assistant, or advanced practice registered nurse  
7 containing the following information:

8 (A) the name and purpose of the FDA approved  
9 epinephrine delivery device or product ~~epinephrine~~  
10 ~~injector~~;

11 (B) the prescribed dosage; and

12 (C) the time or times at which or the special  
13 circumstances under which the FDA approved epinephrine  
14 delivery device or product ~~epinephrine injector~~ is to  
15 be administered.

16 The information provided shall be kept on file in the office of  
17 the school nurse or, in the absence of a school nurse, the  
18 school's administrator.

19 (b-5) A school district, public school, charter school, or  
20 nonpublic school may authorize the provision of a  
21 student-specific or undesignated FDA approved epinephrine  
22 delivery device or product ~~epinephrine injector~~ to a student  
23 or any personnel authorized under a student's Individual  
24 Health Care Action Plan, allergy emergency action plan, or  
25 plan pursuant to Section 504 of the federal Rehabilitation Act  
26 of 1973 to administer an FDA approved epinephrine delivery

1 device or product ~~epinephrine injector~~ to the student, that  
2 meets the student's prescription on file.

3 (b-10) The school district, public school, charter school,  
4 or nonpublic school may authorize a school nurse or trained  
5 personnel to do the following: (i) provide an undesignated FDA  
6 approved epinephrine delivery device or product ~~epinephrine~~  
7 ~~injector~~ to a student for self-administration only or any  
8 personnel authorized under a student's Individual Health Care  
9 Action Plan, allergy emergency action plan, plan pursuant to  
10 Section 504 of the federal Rehabilitation Act of 1973, or  
11 individualized education program plan to administer to the  
12 student that meets the student's prescription on file; (ii)  
13 administer an undesignated FDA approved epinephrine delivery  
14 device or product ~~epinephrine injector~~ that meets the  
15 prescription on file to any student who has an Individual  
16 Health Care Action Plan, allergy emergency action plan, plan  
17 pursuant to Section 504 of the federal Rehabilitation Act of  
18 1973, or individualized education program plan that authorizes  
19 the use of an FDA approved epinephrine delivery device or  
20 product ~~epinephrine injector~~; (iii) administer an undesignated  
21 FDA approved epinephrine delivery device or product  
22 ~~epinephrine injector~~ to any person that the school nurse or  
23 trained personnel in good faith believes is having an  
24 anaphylactic reaction; (iv) administer an opioid antagonist to  
25 any person that the school nurse or trained personnel in good  
26 faith believes is having an opioid overdose; (v) provide

1 undesignated asthma medication to a student for  
2 self-administration only or to any personnel authorized under  
3 a student's Individual Health Care Action Plan or asthma  
4 action plan, plan pursuant to Section 504 of the federal  
5 Rehabilitation Act of 1973, or individualized education  
6 program plan to administer to the student that meets the  
7 student's prescription on file; (vi) administer undesignated  
8 asthma medication that meets the prescription on file to any  
9 student who has an Individual Health Care Action Plan or  
10 asthma action plan, plan pursuant to Section 504 of the  
11 federal Rehabilitation Act of 1973, or individualized  
12 education program plan that authorizes the use of asthma  
13 medication; and (vii) administer undesignated asthma  
14 medication to any person that the school nurse or trained  
15 personnel believes in good faith is having respiratory  
16 distress.

17 (c) The school district, public school, charter school, or  
18 nonpublic school must inform the parents or guardians of the  
19 pupil, in writing, that the school district, public school,  
20 charter school, or nonpublic school and its employees and  
21 agents, including a physician, physician assistant, or  
22 advanced practice registered nurse providing standing protocol  
23 and a prescription for school FDA approved epinephrine  
24 delivery devices or products ~~epinephrine injectors~~, an opioid  
25 antagonist, or undesignated asthma medication, are to incur no  
26 liability or professional discipline, except for willful and

1 wanton conduct, as a result of any injury arising from the  
2 administration of asthma medication, an FDA approved  
3 epinephrine delivery device or product ~~epinephrine injector,~~  
4 or an opioid antagonist regardless of whether authorization  
5 was given by the pupil's parents or guardians or by the pupil's  
6 physician, physician assistant, or advanced practice  
7 registered nurse. The parents or guardians of the pupil must  
8 sign a statement acknowledging that the school district,  
9 public school, charter school, or nonpublic school and its  
10 employees and agents are to incur no liability, except for  
11 willful and wanton conduct, as a result of any injury arising  
12 from the administration of asthma medication, an FDA approved  
13 epinephrine delivery device or product ~~epinephrine injector,~~  
14 or an opioid antagonist regardless of whether authorization  
15 was given by the pupil's parents or guardians or by the pupil's  
16 physician, physician assistant, or advanced practice  
17 registered nurse and that the parents or guardians must  
18 indemnify and hold harmless the school district, public  
19 school, charter school, or nonpublic school and its employees  
20 and agents against any claims, except a claim based on willful  
21 and wanton conduct, arising out of the administration of  
22 asthma medication, an FDA approved epinephrine delivery device  
23 or product ~~epinephrine injector,~~ or an opioid antagonist  
24 regardless of whether authorization was given by the pupil's  
25 parents or guardians or by the pupil's physician, physician  
26 assistant, or advanced practice registered nurse.

1 (c-5) When a school nurse or trained personnel administers  
2 an undesignated FDA approved epinephrine delivery device or  
3 product ~~epinephrine injector~~ to a person whom the school nurse  
4 or trained personnel in good faith believes is having an  
5 anaphylactic reaction, administers an opioid antagonist to a  
6 person whom the school nurse or trained personnel in good  
7 faith believes is having an opioid overdose, or administers  
8 undesignated asthma medication to a person whom the school  
9 nurse or trained personnel in good faith believes is having  
10 respiratory distress, notwithstanding the lack of notice to  
11 the parents or guardians of the pupil or the absence of the  
12 parents or guardians signed statement acknowledging no  
13 liability, except for willful and wanton conduct, the school  
14 district, public school, charter school, or nonpublic school  
15 and its employees and agents, and a physician, a physician  
16 assistant, or an advanced practice registered nurse providing  
17 standing protocol and a prescription for undesignated FDA  
18 approved epinephrine delivery devices or products ~~epinephrine~~  
19 ~~injectors~~, an opioid antagonist, or undesignated asthma  
20 medication, are to incur no liability or professional  
21 discipline, except for willful and wanton conduct, as a result  
22 of any injury arising from the use of an undesignated FDA  
23 approved epinephrine delivery device or product ~~epinephrine~~  
24 ~~injector~~, the use of an opioid antagonist, or the use of  
25 undesignated asthma medication, regardless of whether  
26 authorization was given by the pupil's parents or guardians or

1 by the pupil's physician, physician assistant, or advanced  
2 practice registered nurse.

3 (d) The permission for self-administration and self-carry  
4 of asthma medication or the self-administration and self-carry  
5 of an FDA approved epinephrine delivery device or product  
6 ~~epinephrine injector~~ is effective for the school year for  
7 which it is granted and shall be renewed each subsequent  
8 school year upon fulfillment of the requirements of this  
9 Section.

10 (e) Provided that the requirements of this Section are  
11 fulfilled, a pupil with asthma may self-administer and  
12 self-carry his or her asthma medication or a pupil may  
13 self-administer and self-carry an FDA approved epinephrine  
14 delivery device or product ~~epinephrine injector~~ (i) while in  
15 school, (ii) while at a school-sponsored activity, (iii) while  
16 under the supervision of school personnel, or (iv) before or  
17 after normal school activities, such as while in before-school  
18 or after-school care on school-operated property or while  
19 being transported on a school bus.

20 (e-5) Provided that the requirements of this Section are  
21 fulfilled, a school nurse or trained personnel may administer  
22 an undesignated FDA approved epinephrine delivery device or  
23 product ~~epinephrine injector~~ to any person whom the school  
24 nurse or trained personnel in good faith believes to be having  
25 an anaphylactic reaction (i) while in school, (ii) while at a  
26 school-sponsored activity, (iii) while under the supervision

1 of school personnel, or (iv) before or after normal school  
2 activities, such as while in before-school or after-school  
3 care on school-operated property or while being transported on  
4 a school bus. A school nurse or trained personnel may carry  
5 undesignated FDA approved epinephrine delivery devices or  
6 products ~~epinephrine injectors~~ on his or her person while in  
7 school or at a school-sponsored activity.

8 (e-10) Provided that the requirements of this Section are  
9 fulfilled, a school nurse or trained personnel may administer  
10 an opioid antagonist to any person whom the school nurse or  
11 trained personnel in good faith believes to be having an  
12 opioid overdose (i) while in school, (ii) while at a  
13 school-sponsored activity, (iii) while under the supervision  
14 of school personnel, or (iv) before or after normal school  
15 activities, such as while in before-school or after-school  
16 care on school-operated property. A school nurse or trained  
17 personnel may carry an opioid antagonist on his or her person  
18 while in school or at a school-sponsored activity.

19 (e-15) If the requirements of this Section are met, a  
20 school nurse or trained personnel may administer undesignated  
21 asthma medication to any person whom the school nurse or  
22 trained personnel in good faith believes to be experiencing  
23 respiratory distress (i) while in school, (ii) while at a  
24 school-sponsored activity, (iii) while under the supervision  
25 of school personnel, or (iv) before or after normal school  
26 activities, including before-school or after-school care on

1 school-operated property. A school nurse or trained personnel  
2 may carry undesignated asthma medication on his or her person  
3 while in school or at a school-sponsored activity.

4 (f) The school district, public school, charter school, or  
5 nonpublic school may maintain a supply of undesignated FDA  
6 approved epinephrine delivery devices or products ~~epinephrine~~  
7 ~~injectors~~ in any secure location that is accessible before,  
8 during, and after school where an allergic person is most at  
9 risk, including, but not limited to, classrooms and  
10 lunchrooms. A physician, a physician assistant who has  
11 prescriptive authority in accordance with Section 7.5 of the  
12 Physician Assistant Practice Act of 1987, or an advanced  
13 practice registered nurse who has prescriptive authority in  
14 accordance with Section 65-40 of the Nurse Practice Act may  
15 prescribe undesignated FDA approved epinephrine delivery  
16 devices or products ~~epinephrine injectors~~ in the name of the  
17 school district, public school, charter school, or nonpublic  
18 school to be maintained for use when necessary. Any supply of  
19 FDA approved epinephrine delivery devices or products  
20 ~~epinephrine injectors~~ shall be maintained in accordance with  
21 the manufacturer's instructions.

22 The school district, public school, charter school, or  
23 nonpublic school shall maintain a supply of an opioid  
24 antagonist in any secure location where an individual may have  
25 an opioid overdose, unless there is a shortage of opioid  
26 antagonists, in which case the school district, public school,

1 charter school, or nonpublic school shall make a reasonable  
2 effort to maintain a supply of an opioid antagonist. Unless  
3 the school district, public school, charter school, or  
4 nonpublic school is able to obtain opioid antagonists without  
5 a prescription, a health care professional who has been  
6 delegated prescriptive authority for opioid antagonists in  
7 accordance with Section 5-23 of the Substance Use Disorder Act  
8 shall prescribe opioid antagonists in the name of the school  
9 district, public school, charter school, or nonpublic school,  
10 to be maintained for use when necessary. Any supply of opioid  
11 antagonists shall be maintained in accordance with the  
12 manufacturer's instructions.

13 The school district, public school, charter school, or  
14 nonpublic school may maintain a supply of asthma medication in  
15 any secure location that is accessible before, during, or  
16 after school where a person is most at risk, including, but not  
17 limited to, a classroom or the nurse's office. A physician, a  
18 physician assistant who has prescriptive authority under  
19 Section 7.5 of the Physician Assistant Practice Act of 1987,  
20 or an advanced practice registered nurse who has prescriptive  
21 authority under Section 65-40 of the Nurse Practice Act may  
22 prescribe undesignated asthma medication in the name of the  
23 school district, public school, charter school, or nonpublic  
24 school to be maintained for use when necessary. Any supply of  
25 undesignated asthma medication must be maintained in  
26 accordance with the manufacturer's instructions.

1 A school district that provides special educational  
2 facilities for children with disabilities under Section  
3 14-4.01 of this Code may maintain a supply of undesignated  
4 oxygen tanks in any secure location that is accessible before,  
5 during, and after school where a person with developmental  
6 disabilities is most at risk, including, but not limited to,  
7 classrooms and lunchrooms. A physician, a physician assistant  
8 who has prescriptive authority in accordance with Section 7.5  
9 of the Physician Assistant Practice Act of 1987, or an  
10 advanced practice registered nurse who has prescriptive  
11 authority in accordance with Section 65-40 of the Nurse  
12 Practice Act may prescribe undesignated oxygen tanks in the  
13 name of the school district that provides special educational  
14 facilities for children with disabilities under Section  
15 14-4.01 of this Code to be maintained for use when necessary.  
16 Any supply of oxygen tanks shall be maintained in accordance  
17 with the manufacturer's instructions and with the local fire  
18 department's rules.

19 (f-3) Whichever entity initiates the process of obtaining  
20 undesignated FDA approved epinephrine delivery devices or  
21 products ~~epinephrine injectors~~ and providing training to  
22 personnel for carrying and administering undesignated FDA  
23 approved epinephrine delivery devices or products ~~epinephrine~~  
24 ~~injectors~~ shall pay for the costs of the undesignated FDA  
25 approved epinephrine delivery devices or products ~~epinephrine~~  
26 ~~injectors~~.

1 (f-5) Upon any administration of an FDA approved  
2 epinephrine delivery device or product ~~epinephrine injector~~, a  
3 school district, public school, charter school, or nonpublic  
4 school must immediately activate the EMS system and notify the  
5 student's parent, guardian, or emergency contact, if known.

6 Upon any administration of an opioid antagonist, a school  
7 district, public school, charter school, or nonpublic school  
8 must immediately activate the EMS system and notify the  
9 student's parent, guardian, or emergency contact, if known.

10 (f-10) Within 24 hours of the administration of an  
11 undesignated FDA approved epinephrine delivery device or  
12 product ~~epinephrine injector~~, a school district, public  
13 school, charter school, or nonpublic school must notify the  
14 physician, physician assistant, or advanced practice  
15 registered nurse who provided the standing protocol and a  
16 prescription for the undesignated FDA approved epinephrine  
17 delivery device or product ~~epinephrine injector~~ of its use.

18 Within 24 hours after the administration of an opioid  
19 antagonist, a school district, public school, charter school,  
20 or nonpublic school must notify the health care professional  
21 who provided the prescription for the opioid antagonist of its  
22 use.

23 Within 24 hours after the administration of undesignated  
24 asthma medication, a school district, public school, charter  
25 school, or nonpublic school must notify the student's parent  
26 or guardian or emergency contact, if known, and the physician,

1 physician assistant, or advanced practice registered nurse who  
2 provided the standing protocol and a prescription for the  
3 undesignated asthma medication of its use. The district or  
4 school must follow up with the school nurse, if available, and  
5 may, with the consent of the child's parent or guardian,  
6 notify the child's health care provider of record, as  
7 determined under this Section, of its use.

8 (g) Prior to the administration of an undesignated FDA  
9 approved epinephrine delivery device or product ~~epinephrine~~  
10 ~~injector~~, trained personnel must submit to the school's  
11 administration proof of completion of a training curriculum to  
12 recognize and respond to anaphylaxis that meets the  
13 requirements of subsection (h) of this Section. Training must  
14 be completed annually. The school district, public school,  
15 charter school, or nonpublic school must maintain records  
16 related to the training curriculum and trained personnel.

17 Prior to the administration of an opioid antagonist,  
18 trained personnel must submit to the school's administration  
19 proof of completion of a training curriculum to recognize and  
20 respond to an opioid overdose, which curriculum must meet the  
21 requirements of subsection (h-5) of this Section. The school  
22 district, public school, charter school, or nonpublic school  
23 must maintain records relating to the training curriculum and  
24 the trained personnel.

25 Prior to the administration of undesignated asthma  
26 medication, trained personnel must submit to the school's

1 administration proof of completion of a training curriculum to  
2 recognize and respond to respiratory distress, which must meet  
3 the requirements of subsection (h-10) of this Section.  
4 Training must be completed annually, and the school district,  
5 public school, charter school, or nonpublic school must  
6 maintain records relating to the training curriculum and the  
7 trained personnel.

8 (h) A training curriculum to recognize and respond to  
9 anaphylaxis, including the administration of an undesignated  
10 FDA approved epinephrine delivery device or product  
11 ~~epinephrine injector~~, may be conducted online or in person.

12 Training shall include, but is not limited to:

13 (1) how to recognize signs and symptoms of an allergic  
14 reaction, including anaphylaxis;

15 (2) how to administer an FDA approved epinephrine  
16 delivery device or product ~~epinephrine injector~~; and

17 (3) a test demonstrating competency of the knowledge  
18 required to recognize anaphylaxis and administer an FDA  
19 approved epinephrine delivery device or product  
20 ~~epinephrine injector~~.

21 Training may also include, but is not limited to:

22 (A) a review of high-risk areas within a school and  
23 its related facilities;

24 (B) steps to take to prevent exposure to allergens;

25 (C) emergency follow-up procedures, including the  
26 importance of calling 9-1-1 or, if 9-1-1 is not available,

1 other local emergency medical services;

2 (D) how to respond to a student with a known allergy,  
3 as well as a student with a previously unknown allergy;

4 (E) other criteria as determined in rules adopted  
5 pursuant to this Section; and

6 (F) any policy developed by the State Board of  
7 Education under Section 2-3.190.

8 In consultation with statewide professional organizations  
9 representing physicians licensed to practice medicine in all  
10 of its branches, registered nurses, and school nurses, the  
11 State Board of Education shall make available resource  
12 materials consistent with criteria in this subsection (h) for  
13 educating trained personnel to recognize and respond to  
14 anaphylaxis. The State Board may take into consideration the  
15 curriculum on this subject developed by other states, as well  
16 as any other curricular materials suggested by medical experts  
17 and other groups that work on life-threatening allergy issues.  
18 The State Board is not required to create new resource  
19 materials. The State Board shall make these resource materials  
20 available on its Internet website.

21 (h-5) A training curriculum to recognize and respond to an  
22 opioid overdose, including the administration of an opioid  
23 antagonist, may be conducted online or in person. The training  
24 must comply with any training requirements under Section 5-23  
25 of the Substance Use Disorder Act and the corresponding rules.  
26 It must include, but is not limited to:

- 1 (1) how to recognize symptoms of an opioid overdose;
- 2 (2) information on drug overdose prevention and  
3 recognition;
- 4 (3) how to perform rescue breathing and resuscitation;
- 5 (4) how to respond to an emergency involving an opioid  
6 overdose;
- 7 (5) opioid antagonist dosage and administration;
- 8 (6) the importance of calling 9-1-1 or, if 9-1-1 is  
9 not available, other local emergency medical services;
- 10 (7) care for the overdose victim after administration  
11 of the overdose antagonist;
- 12 (8) a test demonstrating competency of the knowledge  
13 required to recognize an opioid overdose and administer a  
14 dose of an opioid antagonist; and
- 15 (9) other criteria as determined in rules adopted  
16 pursuant to this Section.
- 17 (h-10) A training curriculum to recognize and respond to  
18 respiratory distress, including the administration of  
19 undesignated asthma medication, may be conducted online or in  
20 person. The training must include, but is not limited to:
  - 21 (1) how to recognize symptoms of respiratory distress  
22 and how to distinguish respiratory distress from  
23 anaphylaxis;
  - 24 (2) how to respond to an emergency involving  
25 respiratory distress;
  - 26 (3) asthma medication dosage and administration;

1 (4) the importance of calling 9-1-1 or, if 9-1-1 is  
2 not available, other local emergency medical services;

3 (5) a test demonstrating competency of the knowledge  
4 required to recognize respiratory distress and administer  
5 asthma medication; and

6 (6) other criteria as determined in rules adopted  
7 under this Section.

8 (i) Within 3 days after the administration of an  
9 undesignated FDA approved epinephrine delivery device or  
10 product ~~epinephrine injector~~ by a school nurse, trained  
11 personnel, or a student at a school or school-sponsored  
12 activity, the school must report to the State Board of  
13 Education in a form and manner prescribed by the State Board  
14 the following information:

15 (1) age and type of person receiving epinephrine  
16 (student, staff, visitor);

17 (2) any previously known diagnosis of a severe  
18 allergy;

19 (3) trigger that precipitated allergic episode;

20 (4) location where symptoms developed;

21 (5) number of doses administered;

22 (6) type of person administering epinephrine (school  
23 nurse, trained personnel, student); and

24 (7) any other information required by the State Board.

25 If a school district, public school, charter school, or  
26 nonpublic school maintains or has an independent contractor

1 providing transportation to students who maintains a supply of  
2 undesignated FDA approved epinephrine delivery devices or  
3 products ~~epinephrine injectors~~, then the school district,  
4 public school, charter school, or nonpublic school must report  
5 that information to the State Board of Education upon adoption  
6 or change of the policy of the school district, public school,  
7 charter school, nonpublic school, or independent contractor,  
8 in a manner as prescribed by the State Board. The report must  
9 include the number of undesignated FDA approved epinephrine  
10 delivery device or product ~~epinephrine injectors~~ in supply.

11 (i-5) Within 3 days after the administration of an opioid  
12 antagonist by a school nurse or trained personnel, the school  
13 must report to the State Board of Education, in a form and  
14 manner prescribed by the State Board, the following  
15 information:

16 (1) the age and type of person receiving the opioid  
17 antagonist (student, staff, or visitor);

18 (2) the location where symptoms developed;

19 (3) the type of person administering the opioid  
20 antagonist (school nurse or trained personnel); and

21 (4) any other information required by the State Board.

22 (i-10) Within 3 days after the administration of  
23 undesignated asthma medication by a school nurse, trained  
24 personnel, or a student at a school or school-sponsored  
25 activity, the school must report to the State Board of  
26 Education, on a form and in a manner prescribed by the State

1 Board of Education, the following information:

2 (1) the age and type of person receiving the asthma  
3 medication (student, staff, or visitor);

4 (2) any previously known diagnosis of asthma for the  
5 person;

6 (3) the trigger that precipitated respiratory  
7 distress, if identifiable;

8 (4) the location of where the symptoms developed;

9 (5) the number of doses administered;

10 (6) the type of person administering the asthma  
11 medication (school nurse, trained personnel, or student);

12 (7) the outcome of the asthma medication  
13 administration; and

14 (8) any other information required by the State Board.

15 (j) By October 1, 2015 and every year thereafter, the  
16 State Board of Education shall submit a report to the General  
17 Assembly identifying the frequency and circumstances of  
18 undesignated epinephrine and undesignated asthma medication  
19 administration during the preceding academic year. Beginning  
20 with the 2017 report, the report shall also contain  
21 information on which school districts, public schools, charter  
22 schools, and nonpublic schools maintain or have independent  
23 contractors providing transportation to students who maintain  
24 a supply of undesignated FDA approved epinephrine delivery  
25 devices or products ~~epinephrine injectors~~. This report shall  
26 be published on the State Board's Internet website on the date

1 the report is delivered to the General Assembly.

2 (j-5) Annually, each school district, public school,  
3 charter school, or nonpublic school shall request an asthma  
4 action plan from the parents or guardians of a pupil with  
5 asthma. If provided, the asthma action plan must be kept on  
6 file in the office of the school nurse or, in the absence of a  
7 school nurse, the school administrator. Copies of the asthma  
8 action plan may be distributed to appropriate school staff who  
9 interact with the pupil on a regular basis, and, if  
10 applicable, may be attached to the pupil's federal Section 504  
11 plan or individualized education program plan.

12 (j-10) To assist schools with emergency response  
13 procedures for asthma, the State Board of Education, in  
14 consultation with statewide professional organizations with  
15 expertise in asthma management and a statewide organization  
16 representing school administrators, shall develop a model  
17 asthma episode emergency response protocol before September 1,  
18 2016. Each school district, charter school, and nonpublic  
19 school shall adopt an asthma episode emergency response  
20 protocol before January 1, 2017 that includes all of the  
21 components of the State Board's model protocol.

22 (j-15) (Blank).

23 (j-20) On or before October 1, 2016 and every year  
24 thereafter, the State Board of Education shall submit a report  
25 to the General Assembly and the Department of Public Health  
26 identifying the frequency and circumstances of opioid

1 antagonist administration during the preceding academic year.  
2 This report shall be published on the State Board's Internet  
3 website on the date the report is delivered to the General  
4 Assembly.

5 (k) The State Board of Education may adopt rules necessary  
6 to implement this Section.

7 (l) Nothing in this Section shall limit the amount of FDA  
8 approved epinephrine delivery devices or products ~~epinephrine~~  
9 ~~injectors~~ that any type of school or student may carry or  
10 maintain a supply of.

11 (Source: P.A. 102-413, eff. 8-20-21; 102-813, eff. 5-13-22;  
12 103-175, eff. 6-30-23; 103-196, eff. 1-1-24; 103-348, eff.  
13 1-1-24; 103-542, eff. 7-1-24 (see Section 905 of P.A. 103-563  
14 for effective date of P.A. 103-542); 103-605, eff. 7-1-24.)

15 Section 20. The Illinois Insurance Code is amended by  
16 changing Section 356z.33 as follows:

17 (215 ILCS 5/356z.33)

18 Sec. 356z.33. Coverage for FDA approved epinephrine  
19 delivery devices or products ~~epinephrine injectors~~.

20 (a) A group or individual policy of accident and health  
21 insurance or a managed care plan that is amended, delivered,  
22 issued, or renewed on or after January 1, 2020 (the effective  
23 date of Public Act 101-281) shall provide coverage for  
24 medically necessary FDA approved epinephrine delivery devices

1 or products epinephrine injectors for persons 18 years of age  
2 or under. As used in this Section, "FDA approved epinephrine  
3 delivery device or product" "~~epinephrine injector~~" has the  
4 meaning given to that term in Section 5 of the FDA Approved  
5 Epinephrine Delivery Device or Product Epinephrine Injector  
6 Act.

7 (b) An insurer that provides coverage for medically  
8 necessary FDA approved epinephrine delivery devices or  
9 products epinephrine injectors shall limit the total amount  
10 that an insured is required to pay for a twin-pack of medically  
11 necessary FDA approved epinephrine delivery devices or  
12 products epinephrine injectors at an amount not to exceed \$60,  
13 regardless of the type of FDA approved epinephrine delivery  
14 device or product epinephrine injector; except that this  
15 provision does not apply to the extent such coverage would  
16 disqualify a high-deductible health plan from eligibility for  
17 a health savings account pursuant to Section 223 of the  
18 Internal Revenue Code (26 U.S.C. 223).

19 (c) Nothing in this Section prevents an insurer from  
20 reducing an insured's cost sharing by an amount greater than  
21 the amount specified in subsection (b).

22 (d) The Department may adopt rules as necessary to  
23 implement and administer this Section.

24 (Source: P.A. 102-558, eff. 8-20-21; 103-454, eff. 1-1-25;  
25 103-718, eff. 7-19-24.)

1 Section 25. The Medical Practice Act of 1987 is amended by  
2 changing Section 65 as follows:

3 (225 ILCS 60/65)

4 (Section scheduled to be repealed on January 1, 2027)

5 Sec. 65. Annie LeGere Law; FDA approved epinephrine  
6 delivery device or product ~~epinephrine auto injector~~. A  
7 licensee under this Act may not be subject to discipline for  
8 providing a standing order or prescription for an FDA approved  
9 epinephrine delivery device or product ~~epinephrine~~  
10 ~~auto injector~~ in accordance with Section 40 of the Illinois  
11 State Police Act or Section 10.19 of the Illinois Police  
12 Training Act.

13 (Source: P.A. 102-538, eff. 8-20-21.)

14 Section 30. The Epinephrine Injector Act is amended by  
15 changing Sections 1, 5, 10, 15, and 20 as follows:

16 (410 ILCS 27/1)

17 Sec. 1. Short title. This Act may be cited as the FDA  
18 Approved Epinephrine Delivery Device or Product ~~Epinephrine~~  
19 ~~Injector~~ Act.

20 (Source: P.A. 99-711, eff. 1-1-17; 100-799, eff. 1-1-19.)

21 (410 ILCS 27/5)

22 Sec. 5. Definitions. As used in this Act:

1 "Administer" means to directly apply an epinephrine  
2 injector to the body of an individual.

3 "Authorized entity" means any entity or organization,  
4 other than a school covered under Section 22-30 of the School  
5 Code, in connection with or at which allergens capable of  
6 causing anaphylaxis may be present, including, but not limited  
7 to, independent contractors who provide student transportation  
8 to schools, recreation camps, colleges and universities, day  
9 care facilities, youth sports leagues, amusement parks,  
10 restaurants, sports arenas, and places of employment. The  
11 Department shall, by rule, determine what constitutes a day  
12 care facility under this definition.

13 "Department" means the Department of Public Health.

14 "FDA approved epinephrine delivery device or product"

15 ~~"Epinephrine injector"~~ includes an auto-injector approved by  
16 the United States Food and Drug Administration for the  
17 administration of epinephrine and a pre-filled syringe  
18 approved by the United States Food and Drug Administration and  
19 used for the administration of epinephrine that contains a  
20 pre-measured dose of epinephrine that is equivalent to the  
21 dosages used in an auto-injector.

22 "Health care practitioner" means a physician licensed to  
23 practice medicine in all its branches under the Medical  
24 Practice Act of 1987, a physician assistant under the  
25 Physician Assistant Practice Act of 1987 with prescriptive  
26 authority, or an advanced practice registered nurse with

1 prescribing authority under Article 65 of the Nurse Practice  
2 Act.

3 "Pharmacist" has the meaning given to that term under  
4 subsection (k-5) of Section 3 of the Pharmacy Practice Act.

5 "Undesignated FDA approved epinephrine delivery device or  
6 product ~~epinephrine injector~~" means an FDA approved  
7 epinephrine delivery device or product ~~epinephrine injector~~  
8 prescribed in the name of an authorized entity.

9 (Source: P.A. 99-711, eff. 1-1-17; 100-513, eff. 1-1-18;  
10 100-799, eff. 1-1-19.)

11 (410 ILCS 27/10)

12 Sec. 10. Prescription to authorized entity; use; training.

13 (a) A health care practitioner may prescribe FDA approved  
14 epinephrine delivery devices or products ~~epinephrine injectors~~  
15 in the name of an authorized entity for use in accordance with  
16 this Act, and pharmacists and health care practitioners may  
17 dispense FDA approved epinephrine delivery devices or products  
18 ~~epinephrine injectors~~ pursuant to a prescription issued in the  
19 name of an authorized entity. Such prescriptions shall be  
20 valid for a period of 2 years.

21 (b) An authorized entity may acquire and stock a supply of  
22 undesignated FDA approved epinephrine delivery devices or  
23 products ~~epinephrine injectors~~ pursuant to a prescription  
24 issued under subsection (a) of this Section. Such undesignated  
25 FDA approved epinephrine delivery devices or products

1 ~~epinephrine injectors~~ shall be stored in a location readily  
2 accessible in an emergency and in accordance with the  
3 instructions for use of the FDA approved epinephrine delivery  
4 devices or products ~~epinephrine injectors~~. The Department may  
5 establish any additional requirements an authorized entity  
6 must follow under this Act.

7 (c) An employee or agent of an authorized entity or other  
8 individual who has completed training under subsection (d) of  
9 this Section may:

10 (1) provide an FDA approved epinephrine delivery  
11 device or product ~~epinephrine injector~~ to any individual  
12 on the property of the authorized entity whom the  
13 employee, agent, or other individual believes in good  
14 faith is experiencing anaphylaxis, or to the parent,  
15 guardian, or caregiver of such individual, for immediate  
16 administration, regardless of whether the individual has a  
17 prescription for an FDA approved epinephrine delivery  
18 device or product ~~epinephrine injector~~ or has previously  
19 been diagnosed with an allergy; or

20 (2) administer an FDA approved epinephrine delivery  
21 device or product ~~epinephrine injector~~ to any individual  
22 on the property of the authorized entity whom the  
23 employee, agent, or other individual believes in good  
24 faith is experiencing anaphylaxis, regardless of whether  
25 the individual has a prescription for an FDA approved  
26 epinephrine delivery device or product ~~epinephrine~~

1       ~~injector~~ or has previously been diagnosed with an allergy.

2       (d) An employee, agent, or other individual authorized  
3 must complete an anaphylaxis training program before he or she  
4 is able to provide or administer an FDA approved epinephrine  
5 delivery device or product ~~epinephrine injector~~ under this  
6 Section. Such training shall be valid for a period of 2 years  
7 and shall be conducted by a nationally recognized organization  
8 experienced in training laypersons in emergency health  
9 treatment. The Department shall include links to training  
10 providers' websites on its website.

11       Training shall include, but is not limited to:

12           (1) how to recognize signs and symptoms of an allergic  
13 reaction, including anaphylaxis;

14           (2) how to administer an FDA approved epinephrine  
15 delivery device or product ~~epinephrine injector~~; and

16           (3) a test demonstrating competency of the knowledge  
17 required to recognize anaphylaxis and administer an FDA  
18 approved epinephrine delivery device or product  
19 ~~epinephrine injector~~.

20       Training may also include, but is not limited to:

21           (A) a review of high-risk areas on the authorized  
22 entity's property and its related facilities;

23           (B) steps to take to prevent exposure to allergens;

24           (C) emergency follow-up procedures; and

25           (D) other criteria as determined in rules adopted  
26 pursuant to this Act.

1 Training may be conducted either online or in person. The  
2 Department shall approve training programs and list permitted  
3 training programs on the Department's Internet website.

4 (Source: P.A. 99-711, eff. 1-1-17; 100-799, eff. 1-1-19.)

5 (410 ILCS 27/15)

6 Sec. 15. Costs. Whichever entity initiates the process of  
7 obtaining undesignated FDA approved epinephrine delivery  
8 devices or products ~~epinephrine injectors~~ and providing  
9 training to personnel for carrying and administering  
10 undesignated FDA approved epinephrine delivery devices or  
11 products ~~epinephrine injectors~~ shall pay for the costs of the  
12 undesignated FDA approved epinephrine delivery devices or  
13 products ~~epinephrine injectors~~.

14 (Source: P.A. 99-711, eff. 1-1-17; 100-799, eff. 1-1-19.)

15 (410 ILCS 27/20)

16 Sec. 20. Limitations. The use of an undesignated FDA  
17 approved epinephrine delivery device or product ~~epinephrine~~  
18 ~~injector~~ in accordance with the requirements of this Act does  
19 not constitute the practice of medicine or any other  
20 profession that requires medical licensure.

21 Nothing in this Act shall limit the amount of FDA approved  
22 epinephrine delivery devices or products ~~epinephrine injectors~~  
23 that an authorized entity or individual may carry or maintain  
24 a supply of.

1 (Source: P.A. 99-711, eff. 1-1-17; 100-799, eff. 1-1-19.)

2 Section 35. The Emergency Asthma Inhalers and Allergy  
3 Treatment for Children Act is amended by changing Section 10  
4 as follows:

5 (410 ILCS 607/10)

6 Sec. 10. Possession, self-administration, and use of FDA  
7 approved epinephrine delivery devices or products ~~epinephrine~~  
8 ~~auto injectors~~ or inhalers at recreation camps and  
9 after-school care programs.

10 (a) A recreation camp or an after-school care program  
11 shall permit a child with severe, potentially life-threatening  
12 allergies to possess, self-administer, and use an FDA approved  
13 epinephrine delivery device or product ~~epinephrine~~  
14 ~~auto injector~~ or inhaler, if the following conditions are  
15 satisfied:

16 (1) The child has the written approval of his or her  
17 parent or guardian.

18 (2) The recreational camp or after-school care program  
19 administrator or, if a nurse is assigned to the camp or  
20 program, the nurse shall receive copies of the written  
21 approvals required under paragraph (1) of subsection (a)  
22 of this Section.

23 (3) The child's parent or guardian shall submit  
24 written verification confirming that the child has the

1 knowledge and skills to safely possess, self-administer,  
2 and use an FDA approved epinephrine delivery device or  
3 product ~~epinephrine auto-injector~~ or inhaler in a camp or  
4 an after-school care program setting.

5 (b) The child's parent or guardian shall provide the camp  
6 or program with the following information:

7 (1) the child's name;

8 (2) the name, route, and dosage of medication;

9 (3) the frequency and time of medication  
10 administration or assistance;

11 (4) the date of the order;

12 (5) a diagnosis and any other medical conditions  
13 requiring medications, if not a violation of  
14 confidentiality or if not contrary to the request of the  
15 parent or guardian to keep confidential;

16 (6) specific recommendations for administration;

17 (7) any special side effects, contraindications, and  
18 adverse reactions to be observed;

19 (8) the name of each required medication; and

20 (9) any severe adverse reactions that may occur to  
21 another child, for whom the FDA approved epinephrine  
22 delivery device or product ~~epinephrine auto-injector~~ or  
23 inhaler is not prescribed, should the other child receive  
24 a dose of the medication.

25 (c) If the conditions of this Act are satisfied, the child  
26 may possess, self-administer, and use an FDA approved

1 epinephrine delivery device or product ~~epinephrine~~  
2 ~~auto-injector~~ or inhaler at the camp or after-school care  
3 program or at any camp-sponsored or program-sponsored  
4 activity, event, or program.

5 (d) The recreational camp or after-school care program  
6 must inform the parents or guardians of the child, in writing,  
7 that the recreational camp or after-school care program and  
8 its employees and agents are to incur no liability, as  
9 applicable, except for willful and wanton conduct, as a result  
10 of any injury arising from the self-administration of  
11 medication to the child. The parents or guardians of the child  
12 must sign a statement acknowledging that the recreational camp  
13 or after-school care program is to incur no liability, except  
14 for willful and wanton conduct, as a result of any injury  
15 arising from the self-administration of medication by the  
16 child and that the parents or guardians must indemnify and  
17 hold harmless the recreational camp or after-school care  
18 program and its employees and agents, as applicable, against  
19 any claims, except a claim based on willful and wanton  
20 conduct, arising out of the self-administration of medication  
21 by the child.

22 (e) After-school care program personnel who have completed  
23 an anaphylaxis training program as identified under the FDA  
24 Approved Epinephrine Delivery Device or Product ~~Epinephrine~~  
25 ~~Injector~~ Act may administer an undesignated epinephrine  
26 injection to any child if the after-school care program

1 personnel believe in good faith that the child is having an  
2 anaphylactic reaction while in the after-school care program.  
3 After-school care program personnel may carry undesignated FDA  
4 approved epinephrine delivery devices or products ~~epinephrine~~  
5 ~~injectors~~ on their person while in the after-school care  
6 program.

7 (f) After-school care program personnel may administer  
8 undesignated asthma medication to any child if the  
9 after-school care program personnel believe in good faith that  
10 the child is experiencing respiratory distress while in the  
11 after-school care program. After-school care program personnel  
12 may carry undesignated asthma medication on their person while  
13 in the after-school care program.

14 (g) If after-school care program personnel are to  
15 administer an undesignated epinephrine injection or an  
16 undesignated asthma medication to a child, the after-school  
17 care program personnel must inform the parents or guardians of  
18 the child, in writing, that the after-school care program and  
19 its employees and agents, acting in accordance with standard  
20 protocols and the prescription for the injection or  
21 medication, shall incur no liability, except for willful and  
22 wanton conduct, as a result of any injury arising from the  
23 administration of the injection or medication, notwithstanding  
24 whether authorization was given by the child's parents or  
25 guardians or by the child's physician, physician assistant, or  
26 advanced practice registered nurse. A parent or guardian of

1 the child must sign a statement acknowledging that the  
2 after-school care program and its employees and agents are to  
3 incur no liability, except for willful and wanton conduct, as  
4 a result of any injury arising from the administration of the  
5 medication or injection, regardless of whether authorization  
6 was given by a parent or guardian of the child or by the  
7 child's physician, physician assistant, or advanced practice  
8 registered nurse, and that the parent or guardian must also  
9 indemnify and hold harmless the after-school care program and  
10 its employees and agents against any claims, except a claim  
11 based on willful and wanton conduct, arising out of the  
12 administration of the medication or injection, regardless of  
13 whether authorization was given by the child's parent or  
14 guardian or by the child's physician, physician assistant, or  
15 advanced practice registered nurse.

16 (h) If after-school care program personnel administer an  
17 undesignated epinephrine injection to a person and the  
18 after-school care program personnel believe in good faith the  
19 person is having an anaphylactic reaction or administer  
20 undesignated asthma medication to a person and believe in good  
21 faith the person is experiencing respiratory distress, then  
22 the after-school care program and its employees and agents,  
23 acting in accordance with standard protocols and the  
24 prescription for the injection or medication, shall not incur  
25 any liability or be subject to professional discipline, except  
26 for willful and wanton conduct, as a result of any injury

1 arising from the use of the injection or medication,  
2 notwithstanding whether notice was given to or authorization  
3 was given by the child's parent or guardian or by the child's  
4 physician, physician assistant, or advanced practice  
5 registered nurse and notwithstanding the absence of the  
6 parent's or guardian's signed statement acknowledging release  
7 from liability.

8 (i) The changes made to this Section by this amendatory  
9 Act of the 103rd General Assembly apply to actions filed on or  
10 after the effective date of this amendatory Act of the 103rd  
11 General Assembly.

12 (Source: P.A. 103-438, eff. 8-4-23.)

13 Section 40. The Illinois Food, Drug and Cosmetic Act is  
14 amended by changing Section 3.21 as follows:

15 (410 ILCS 620/3.21) (from Ch. 56 1/2, par. 503.21)

16 Sec. 3.21. Except as authorized by this Act, the Illinois  
17 Controlled Substances Act, the Pharmacy Practice Act, the  
18 Dental Practice Act, the Medical Practice Act of 1987, the  
19 Veterinary Medicine and Surgery Practice Act of 2004, the  
20 Podiatric Medical Practice Act of 1987, Section 22-30 of the  
21 School Code, Section 40 of the Illinois State Police Act,  
22 Section 10.19 of the Illinois Police Training Act, or the FDA  
23 Approved Epinephrine Delivery Device or Product ~~Epinephrine~~  
24 ~~Injector~~ Act, to sell or dispense a prescription drug without

1 a prescription.

2 (Source: P.A. 102-538, eff. 8-20-21.)

3 Section 45. The Home Health and Hospice Drug Dispensation  
4 and Administration Act is amended by changing Section 20 as  
5 follows:

6 (410 ILCS 642/20)

7 Sec. 20. Possession of specified drugs.

8 (a) A home health agency, hospice, or authorized nursing  
9 employee of an agency or hospice, in compliance with this  
10 Section, may possess or transport the following specified  
11 drugs in a sealed portable container for the purpose of  
12 administration to the agency's or hospice's patients pursuant  
13 to the patient's treating health care professional's orders:

14 (1) Sterile saline in a sealed portable container of a  
15 size determined by the dispensing pharmacist.

16 (2) Sterile water.

17 (3) Not more than 5 dosage units of any of the  
18 following items in an individually sealed, unused portable  
19 container:

20 (A) Heparin sodium lock flush in a concentration  
21 of 10 units per milliliter or 100 units per  
22 milliliter.

23 (B) Epinephrine HCl solution in a concentration of  
24 one to 1,000.

1           (4) Not more than 2 dosage units of Diphenhydramine  
2           (Benadryl) 50 milligrams intravenously in an individually  
3           sealed, unused portable container, clearly labeled, and  
4           placed in a protective carrier.

5           (Source: P.A. 94-638, eff. 8-22-05.)