

## CHAPTER 231

**AN ACT** concerning emergency epinephrine administration at youth camps, and supplementing Title 26 of the Revised Statutes.

**BE IT ENACTED** by the Senate and General Assembly of the State of New Jersey:

C.26:12-17 Short title.

1. This act shall be known and may be cited as the “Youth Camp Epinephrine Access and Emergency Treatment Act.”

C.26:12-18 Findings, declarations relative to emergency epinephrine administration at youth camps.

2. The Legislature finds and declares that:

a. Insect and food allergies are the leading cause of anaphylaxis, a life-threatening condition that is easily treatable with epinephrine, a medication only available via prescription;

b. Individuals who are known to be at risk of anaphylaxis may carry emergency doses of epinephrine with them at all times. However, many individuals may not be aware of their allergy and therefore do not carry epinephrine medication;

c. New Jersey’s youth camps offer a broad array of outdoor educational and recreational opportunities to youth campers, which may expose campers and staff members to various different kinds of insects and foods for the first time.

d. Youth camps are often located in remote settings where medical professionals or first responders are not available to provide emergency care for anaphylaxis;

e. The State of New Jersey, at P.L.1997, c.368 (C.18A:40-12.5 et seq.) and P.L.2013, c.211 (C.18A:61D-11 et seq.), has already recognized the value of training non-medical professionals to administer this life-saving drug in K-12 educational settings and institutions of higher education when a medical professional is not physically present at the scene; and

f. It is prudent to similarly provide youth camp staff members, who are responsible for the safety of one or more campers, with the tools necessary to respond to emergency anaphylaxis situations, particularly where exposure to unfamiliar insects or foods is likely, and where assistance from medical professionals and first responders is not readily available.

C.26:12-19 Definitions relative to emergency epinephrine administration at youth camps.

3. As used in this act:

“Commissioner” means the Commissioner of Health.

“Member of the youth camp community” means a person who is a camper at, or a staff member of, a youth camp.

“Professionally qualified health care provider” means a licensed health care professional whose authorized scope of practice includes the administration of medication, whether independently, or through a joint protocol or standing order from a physician.

“Trained designee” means a youth camp staff member who has been trained by the youth camp health director or, if the youth camp health director is not professionally qualified to administer epinephrine, by a professionally qualified health care provider, in the detection of anaphylaxis and the emergency administration of epinephrine using a pre-filled auto-injector mechanism.

“Youth camp” means the same as that term is defined by section 3 of P.L.1973, c.375 (C.26:12-3).

“Youth camp health director” means and includes a person, 18 years of age or older, who meets the qualifications required by N.J.A.C.8:25-5.2 and who is responsible for the proper medical recordkeeping, care, and treatment of campers at a youth camp. Youth camps that do not have a health director who is a medical professional may use one of the following options: a youth camp health director trained in the emergency administration of epinephrine via a pre-filled auto-injector mechanism by the professionally qualified health care provider responsible for writing the prescription with documentation; an emergency medical technician certified in emergency epinephrine auto-injector administration; or an individual trained in the detection of anaphylaxis and the emergency administration of epinephrine using a pre-filled auto-injector device.

“Youth camp operator” means the same as that term is defined by section 3 of P.L.1973, c.375 (C.26:12-3).

#### C.26:12-20 Development of policy.

4. a. A youth camp operator, as part of a youth camp medical program, and in accordance with the provisions of the “New Jersey Youth Camp Safety Act,” P.L.1973, c.375 (C.26:12-1 et seq.) and rules and regulations adopted by the Department of Health pursuant thereto, may develop a policy for the emergency administration of epinephrine via a pre-filled auto-injector mechanism to a member of the youth camp community for anaphylaxis when a professionally qualified health care provider is not immediately available. The policy shall:

(1) permit the youth camp health director and trained designees to administer epinephrine via a pre-filled auto-injector mechanism to a member of the youth camp community for whom the youth camp health director or trained designee is responsible, when the youth camp health director or trained designee believes, in good faith, that the member of the youth camp community is having an anaphylactic reaction; and

(2) permit the youth camp health director and trained designees, when responsible for the safety of one or more members of the youth camp community, to carry, in a secure but easily accessible location, a supply of pre-filled epinephrine auto-injectors that is prescribed under a standing protocol from a licensed physician or other authorized prescriber.

b. If a youth camp develops a policy for the emergency administration of epinephrine via a pre-filled auto-injector mechanism, the youth camp operator, in cooperation with the youth camp health director, shall:

(1) maintain and adhere to a standardized training protocol for the emergency administration of epinephrine by trained designees under the youth camp medical program, which training protocol shall be established and administered by a professionally qualified health care provider;

(2) ensure that trained designees have satisfactorily completed the training protocol;

(3) obtain and maintain a supply of pre-filled epinephrine auto-injectors, pursuant to a standing protocol from a licensed physician or other authorized prescriber, for use by the youth camp health director and trained designees in emergency anaphylaxis situations; and

(4) establish protocols and one or more secure locations for the safe and accessible storage of the youth camp’s supply of pre-filled epinephrine auto-injectors.

#### C.26:12-21 Immunity from liability, disciplinary action.

5. A youth camp operator, youth camp health director, trained designee, professionally qualified health care provider, physician, pharmacist, or any other person shall not be subject to civil or criminal liability, or professional disciplinary action, for any act or omission – including the prescription, distribution, or administration of epinephrine – which is

undertaken in good faith thereby, in accordance with the provisions of this act. Good faith does not include willful misconduct, gross negligence, or recklessness.

C.26:12-22 Construction of act.

6. Nothing in this act shall be construed to:

a. permit a trained designee to perform the duties or fill the position of a licensed medical professional;

b. prohibit the administration of a pre-filled epinephrine auto-injector mechanism by a person acting pursuant to a lawful prescription;

c. prevent a licensed and qualified member of a health care profession from administering a pre-filled epinephrine auto-injector mechanism if the duties are consistent with the accepted standards of practice applicable to the member's profession;

d. violate the "Athletic Training Licensure Act," P.L.1984, c.203 (C.45:9-37.35 et seq.) in the event that a licensed athletic trainer administers epinephrine to a member of the youth camp community as a trained designee pursuant to this act; or

e. require written authorization from a camper's parent or guardian, or from any youth camp staff member, prior to the emergency administration of epinephrine when:

(1) there is no identified medical diagnosis involving risk of anaphylaxis on record with the youth camp health director; or

(2) there is a medical diagnosis involving risk of anaphylaxis recorded with the youth camp health director, but the pre-filled epinephrine auto-injector was not provided to the youth camp by the camper or by the camper's parent or authorized guardian.

7. This act shall take effect immediately.

Approved January 19, 2016.