

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 423 Session of 2015

INTRODUCED BY SIMMONS, MILLARD, JAMES, CALTAGIRONE, SAYLOR, KORTZ, TALLMAN, BISHOP, D. COSTA, DUSH, GRELL, WATSON, MACKENZIE, COHEN, MURT, GABLER, SNYDER, PETRI, OBERLANDER, TRUITT, GILLEN, DONATUCCI, EVANKOVICH, GIBBONS, McCARTER, BAKER, TOOHIL, V. BROWN, HELM, THOMAS, SANTARSIERO, DAVIS AND EVERETT, FEBRUARY 9, 2015

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 9, 2015

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
 2 act relating to the public school system, including certain
 3 provisions applicable as well to private and parochial
 4 schools; amending, revising, consolidating and changing the
 5 laws relating thereto," in school health services, providing
 6 for administration of epinephrine auto-injectors by school
 7 bus drivers.

8 The General Assembly of the Commonwealth of Pennsylvania
 9 hereby enacts as follows:

10 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
 11 as the Public School Code of 1949, is amended by adding a
 12 section to read:

13 Section 1414.3. Administration of Epinephrine Auto-injectors
 14 by School Bus Drivers.--The provisions of 42 Pa.C.S. §§ 8332
 15 (relating to emergency response provider and bystander good
 16 Samaritan civil immunity) and 8337.1 (relating to civil immunity
 17 of school officers or employees relating to emergency care,
 18 first aid and rescue) shall apply to a school bus driver when

1 all of the following apply:

2 (1) The school bus driver administers an epinephrine auto-
3 injector to a student in a manner consistent with the policies
4 established by all of the following:

5 (i) the independent contractor that employs the school bus
6 driver, if the school bus driver is employed by an independent
7 contractor;

8 (ii) the school entity that has contracted with the
9 independent contractor, if the school bus driver is employed by
10 an independent contractor; and

11 (iii) the school entity that employs the school bus driver,
12 if the school bus driver is employed by a school entity.

13 (2) The school bus driver has successfully completed a
14 training program that shall be developed and implemented by the
15 Department of Health. The Department of Health shall have ninety
16 (90) days from the effective date of this section to develop and
17 implement such a training program.

18 Section 2. This act shall take effect in 60 days.