

**Administration of
Epinephrine**

Definitions

Anaphylaxis

"Anaphylaxis" means a sudden, severe, and potentially life-threatening allergic reaction that occurs when a person is exposed to an allergen. *Education Code 51.881(2); 25 TAC 40.3(1)*

*Authorized
Health-care
Provider*

An "authorized health-care provider" means a physician, as defined in Education Code 51.881, or person who has been delegated prescriptive authority by a physician under Occupations Code Chapter 157 as described in Health and Safety Code 773.0145. *25 TAC 40.3(2)*

Campus

"Campus" means an educational unit under the management and control of an institution of higher education and may include, in addition to the main campus, off-campus and secondary locations, such as branch campuses, teaching locations, regional centers, and where students are housed. *Education Code 51.881(3); 25 TAC 40.3(3)*

*Epinephrine
Auto-Injector*

"Epinephrine auto-injector" means a disposable medical drug delivery device that contains a premeasured single dose of epinephrine that is intended to be used to treat anaphylaxis. *Education Code 51.881(4)*

*Unassigned
Epinephrine
Auto-Injector*

"Unassigned epinephrine auto-injector" means an epinephrine auto-injector prescribed by an authorized health-care provider in the name of the institution of higher education issued with a non-patient-specific standing delegation order for the administration of an epinephrine auto-injector, and issued by an authorized health-care provider. *25 TAC 40.3(6)*

Policy Permitted

An institution of higher education may adopt and implement a written policy regarding the maintenance, storage, administration, and disposal of unassigned epinephrine auto-injectors at each institution's campus. *Education Code 51.882(a); 25 TAC 40.2*

Contents

Each institution of higher education that adopts a policy must require that the institution's campuses have personnel or volunteers authorized and trained to administer an epinephrine auto-injector present.

If a policy is adopted, the policy must provide that personnel or volunteers who are authorized and trained may administer an epinephrine auto-injector to a person who is reasonably believed to be experiencing anaphylaxis on the institution's campus and may provide that personnel or volunteers who are authorized and trained may administer an epinephrine auto-injector to a person who is reasonably believed to be experiencing anaphylaxis at an off-campus event or while in transit to or from an off-campus event sponsored by the institution of higher education.

In development of an epinephrine auto-injector policy, an institution shall include:

1. A designated campus department to coordinate and manage policy implementation that includes:
 - a. Conducting an assessment;
 - b. Training of institution personnel;
 - c. Acquiring or purchasing, storing, and using unassigned epinephrine auto-injectors; and
 - d. Disposing of expired unassigned epinephrine auto-injectors;
2. Personnel who can be trained to administer unassigned epinephrine auto-injectors;
3. Locations of unassigned epinephrine auto-injectors;
4. Procedures for notifying local emergency medical services when a person is suspected of experiencing anaphylaxis and when an epinephrine auto-injector is administered; and
5. A plan to replace, as soon as reasonably possible, any unassigned epinephrine auto-injector that is used or close to expiration.

Education Code 51.882(b), (d); 25 TAC 40.5(c)

*Submission to
DSHS*

Each institution of higher education that adopts a policy shall submit to the Texas Department of State Health Services (DSHS) a copy of the policy and any amendment to the policy adopted by the institution. DSHS shall maintain a record of the most recent policy and amendments submitted by each institution and shall make that information available to the public on request. *Education Code 51.882(a)–(d), (f); 25 TAC 40.5(e)*

Publication

Each institution of higher education that adopts a policy shall include the policy in the institution's student handbook or similar publication and publish the policy on the institution's internet website. The policy and the locations of the unassigned epinephrine auto-injector must be publicly available. *Education Code 51.882(d); 25 TAC 40.5(d)*

*Availability of
Epinephrine Auto-
Injectors*

An institution of higher education shall obtain a prescription from an authorized health-care provider each year to stock, possess, and maintain at least one unassigned adult epinephrine auto-injector pack (two doses) on each institution's campus as described in Education Code 51.885 and Health and Safety Code 773.0145.

The number of additional adult packs may be determined by an individual campus assessment led by an authorized health-care provider, based on available resources. *25 TAC 40.5(a)*

Assessment

An institution performing an assessment may consider:

1. Consultation with campus police, office of risk management, office of food services, office of housing, office of health services, or any department involved with student well-being;
2. Campus geography, including high risk areas; and
3. Student population size.

25 TAC 40.5(b)

Prescription

A physician may prescribe, as described by Education Code 51.885, epinephrine auto-injectors in the name of an institution of higher education that adopts a policy. The physician shall provide the institution with a standing order for the administration of an epinephrine auto-injector to a person reasonably believed to be experiencing anaphylaxis.

Notwithstanding any other provisions of law, supervision or delegation by a physician is considered adequate if the physician periodically reviews the order and is available through direct telecommunication as needed for consultation, assistance, and direction.

Education Code 51.885(a), (c)

Report

Not later than the tenth business day after the date a personnel member or volunteer administers an epinephrine auto-injector in accordance with the policy, the institution of higher education shall report to the physician who prescribed the epinephrine auto-injector and the commissioner of state health services. The report must include the following information:

1. The age of the person who received the administration of the epinephrine auto-injector;
2. Whether the person who received the administration of the epinephrine auto-injector was a student, a personnel member, or a visitor;
3. The physical location where the epinephrine auto-injector was administered;
4. The number of doses of epinephrine auto-injector administered;
5. The title of the person who administered the epinephrine auto-injector; and

6. Any other information required by the commissioner of state health services.

Notifications to the commissioner of DSHS shall be submitted on the designated electronic form available on [DSHS's School Health Program website](#).¹

Education Code 51.883; 25 TAC 40.7(b)–(c)

Employee Training

Each institution of higher education that adopts a policy is responsible for training personnel or volunteers in the administration of an epinephrine auto-injector. The training must:

1. Include information on:
 - a. Recognizing the signs and symptoms of anaphylaxis;
 - b. Administering an epinephrine auto-injector;
 - c. Implementing emergency procedures, if necessary, after administering an epinephrine auto-injector; and
 - d. Properly disposing of used or expired epinephrine auto-injectors; and
2. Be provided in a formal training session or through online education and be completed annually.

Training shall be consistent with the most recent Voluntary Guidelines for Managing Food Allergies in Schools and Early Care and Education Programs published by the federal Centers for Disease Control and Prevention.

Each institution shall maintain training records and each public institution shall make available upon request a list of those institution personnel or institution volunteers trained and authorized to administer the unassigned epinephrine auto-injector on the campus.

Education Code 51.884; 25 TAC 40.6

Storage

The supply of epinephrine auto-injectors at a campus must be stored in a secure location and be easily accessible to personnel or volunteers authorized and trained to administer an epinephrine auto-injector. The unassigned epinephrine auto-injector must be stored in accordance with the manufacturer's guidelines. *Education Code 51.882(e); 25 TAC 40.5(d)*

Funding

An institution of higher education may accept gifts, grants, donations, and federal funds to implement this section. *Education Code 51.886*

Immunity from
Discipline

A person who in good faith takes, or fails to take, any action under 25 Administrative Code Chapter 40, Subchapter A or Education Code Chapter 51, Subchapter Y-1 is immune from civil or criminal liability or disciplinary action resulting from that act or failure to act, including:

1. Issuing an order for epinephrine auto-injectors;
2. Supervising or delegating the administration of an epinephrine auto-injector;
3. Possessing an epinephrine auto-injector;
4. Maintaining an epinephrine auto-injector;
5. Storing an epinephrine auto-injector;
6. Disposing of an epinephrine auto-injector;
7. Prescribing an epinephrine auto-injector;
8. Dispensing an epinephrine auto-injector;
9. Administering, or assisting in administering, an epinephrine auto-injector;
10. Providing, or assisting in providing, training, consultation, or advice in the development, adoption, or implementation of policies, guidelines, rules, or plans; or
11. Undertaking any other act permitted or required under this subchapter.

This immunity is in addition to other immunity or limitations of liability provided by law.

Education Code 51.888(a)–(b); 25 TAC 40.8

Records Retention

Records relating to implementing and administrating the institution of higher education unassigned epinephrine auto-injector policy shall be retained per the record retention schedule for records of institutions of higher education found in 13 Administrative Code 6.10. [See also CIA] 25 TAC 40.7(a)

¹ DSHS, Required Reporting of Administered Epinephrine Auto-Injectors to DSHS website: <https://www.dshs.texas.gov/schoolhealth/forms/ReportingForm-Epinephrine.aspx>