

**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, including a college district, 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 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](#).<sup>1</sup>

*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 Subchapter Y-1.

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 administering 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)*

**Automated External Defibrillator** "Automated external defibrillator" means a heart monitor and defibrillator that:

1. Has received approval from the U.S. Food and Drug Administration (FDA) of its premarket notification filed under 21 U.S.C. 360(k);
2. Is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia and is capable of determining, without interpretation of cardiac rhythm by an operator, whether defibrillation should be performed; and
3. On determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to an individual's heart.

Each person or entity, other than a licensed practitioner, that acquires an automated external defibrillator that has not been approved by the FDA for over-the-counter sale shall ensure that the automated external defibrillator has been delivered to that person or entity by a licensed practitioner in the course of his professional practice or upon a prescription or other order lawfully issued in the course of his professional practice.

*Health and Safety Code 779.001, .007*

Notice of  
Acquisition

When a person or entity acquires an automated external defibrillator, the person or entity shall notify the local emergency medical services provider of the existence, location, and type of automated external defibrillator. *Health and Safety Code 779.005*

Notice of Use

A person or entity that provides emergency care to a person in cardiac arrest by using an automated external defibrillator shall promptly notify the local emergency medical services provider. *Health and Safety Code 779.004*

Maintenance and  
Inspection

A person or entity that owns or leases an automated external defibrillator shall:

1. Maintain and test the automated external defibrillator according to the manufacturer's guidelines; and
2. Conduct a monthly inspection to verify the automated external defibrillator is placed at its designated location, reasonably appears to be ready for use, and does not reasonably appear to be damaged in a manner that could prevent operation.

*Health and Safety Code 779.003*

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