



SPONSOR: Rep. Hudson & Sen. Sokola;
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Oутten, Peterman, Ramone, D. Short, Wilson; Sens.
Cloutier, Sorenson

HOUSE OF REPRESENTATIVES
146th GENERAL ASSEMBLY

HOUSE BILL NO. 149

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO TRAINING AND EMERGENCY USE
OF EPINEPHRINE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Title 16, Delaware Code by adding a new chapter to read as follows:

“CHAPTER 30E. Use of Epinephrine in Emergency Situations.

§ 3001E. Prescription, purchase, and administration of epinephrine by a trained individual.

Notwithstanding any law or regulation to the contrary, an individual who is 18 years of age or older and has a relationship with a person under age 25 at risk for anaphylaxis may obtain epinephrine from a patient or parent, and, in an emergency situation, administer epinephrine using an auto-injector, if the individual has successfully completed a training program approved by the Department under § 3002E(b) of this Chapter.

§ 3002E. Approval of training programs.

(a) The Department shall adopt standards for the approval of training programs for the use of Epinephrine auto-injectors.

(b) The Department shall approve an auto-injector training program that meets standards adopted under subsection (a) of this section. The standards must require an epinephrine auto-injector program to provide training in:

(1) Techniques on how to recognize symptoms of severe asthmatic or allergic reactions, including anaphylaxis;

(2) Standards and procedures for the storage of epinephrine auto-injectors and administration of epinephrine using auto-injectors; and

(3) Emergency follow-up procedures.

§ 3003E. Applicability. This chapter does not apply to a person who is authorized under another law to administer epinephrine or to a person who is prescribed epinephrine for personal use.

21 § 3004E. Liability of certified individual. A civil liability claim for any personal injury may not be brought
22 against an individual who has successfully completed a training program approved by the Department under § 3002E of
23 this chapter for an act or omission relating to the administration of epinephrine to another individual in an emergency
24 situation if the individual who completed the training acted in good faith, without compensation, under the authority
25 granted by this chapter and such act or acts do not amount to willful or wanton misconduct or gross negligence.

26 § 3005E. Definitions. In this chapter:

27 (1) 'Department' means the Department of Health and Social Services.

28 (2) 'Emergency situation' means a circumstance where an individual experiences, or appears to experience, a
29 severe asthmatic or allergic reaction, including anaphylaxis, that requires the administration of epinephrine to avoid severe
30 injury or death and where a certified or licensed health care provider authorized to administer epinephrine is not reasonably
31 available.”.

SYNOPSIS

This bill requires the Department of Health and Social Services to adopt standards for the approval of and to approve certain training programs relating to the possession of epinephrine and the administration of epinephrine in emergency situations; and authorizes certain individuals to obtain epinephrine, and administer epinephrine in emergency situations.