**A** **BILL**

TO AMEND CHAPTER 99, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EMERGENCY TREATMENT FOR MEDICAL HAZARDS CAUSED BY INSECT STINGS, SO AS TO RENAME THE CHAPTER THE “EMERGENCY ANAPHYLAXIS TREATMENT ACT”, TO ADD A DEFINITION FOR “EPINEPHRINE AUTO‑INJECTOR”, TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEVELOP A TRAINING AND CERTIFICATION PROGRAM FOR INDIVIDUALS WHO ADMINISTER EPINEPHRINE AUTO‑INJECTORS, TO ALLOW CERTAIN ENTITIES TO OBTAIN A PRESCRIPTION FOR AN EPINEPHRINE AUTO‑INJECTOR FROM PHYSICIANS, PHARMACISTS, AND OTHER AUTHORIZED INDIVIDUALS, TO ALLOW PHYSICIANS, PHARMACISTS, AND OTHER AUTHORIZED INDIVIDUALS TO PRESCRIBE OR SELL A PRESCRIPTION FOR AN EPINEPHRINE AUTO‑INJECTOR TO CERTAIN ENTITIES, TO ALLOW APPROPRIATELY CERTIFIED EMPLOYEES OF CERTAIN ENTITIES TO USE AN EPINEPHRINE AUTO‑INJECTOR, TO PROVIDE LIABILITY LIMITATIONS FOR CERTAIN INDIVIDUALS AND ENTITIES WHEN ADMINISTERING AN EPINEPHRINE AUTO‑INJECTOR, AND FOR OTHER PURPOSES.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 99, Title 44 of the 1976 Code is amended to read:

“CHAPTER 99

~~Insect Sting~~ Emergency Anaphylaxis Treatment Act

Section 44‑99‑10. This chapter may be cited as the ‘~~Insect Sting~~ Emergency Anaphylaxis Treatment Act’.

Section 44‑99‑20. As used in this chapter:

(1) ‘Certificate’ means official acknowledgment ~~by the department~~ that an individual has completed the required training program pursuant to this chapter.

(2) ‘Department’ means the Department of Health and Environmental Control.

(3) ‘Epinephrine auto‑injector’ means a single‑use device used for the automatic injection of a premeasured dose of epinephrine into the human body.

~~(3)~~(4) ‘Program’ means the program established by the department for training and certifying individuals to administer treatment to persons suffering a severe adverse reaction to an ~~insect sting which involves the administration of epinephrine~~ allergen.

Section 44‑99‑30. (A) ~~The~~ Before January 1, 2016, the department ~~is authorized to~~ shall establish a program to provide for the training and certification of individuals to administer ~~certain forms of emergency treatment for medical hazards caused by insect stings~~ epinephrine auto‑injectors. The department shall develop standards, guidelines, and prescribe regulations for the implementation of the program. All administrative responsibility of the program is vested in the department.

(B) In the development of the curriculum for training and certification under the program, the department shall include ~~the following subjects~~:

(1) techniques on how to recognize ~~symptoms of systemic reactions to insect stings~~ anaphylaxis;

(2) standards and procedures for administering ~~a subcutaneous injection of epinephrine~~ an auto‑injector; and

(3) emergency follow‑up procedures.

(C) The department may authorize a nationally recognized organization experienced in training laypersons in emergency health treatment or other person to conduct the required training and issue certifications.

Section 44‑99‑40. (A) A person desiring certification ~~for the administration of emergency treatment insect sting,~~ pursuant to this chapter~~,~~ shall apply to the department and complete the program established by the department for training and certification.

(B) The department shall determine and establish the validation and expiration periods for certificates issued pursuant to this chapter and requirements and procedures for renewals if the department considers it necessary.

(C) The department may suspend or revoke a certificate at any time it determines that the holder no longer meets the prescribed qualifications established by the department or has failed to provide services or treatment of a quality acceptable to the department pursuant to this chapter.

Section 44‑99‑50. (A) An applicant for certification ~~shall meet the following requirements~~ must:

(1) be eighteen years of age or older;

(2) have, or reasonably expect to have, responsibility for or contact with at least one other person as a result of one’s occupational or volunteer status~~, such as camp counselors, scout leaders, school teachers, forest rangers, tour guides, or chaperones~~; and

(3) successfully complete the training program established by the department.

(B) A person, who meets the qualifications of this section and is certified by the department pursuant to this chapter, is authorized to acquire, possess, and administer in an emergency situation prescribed epinephrine auto‑injectors to persons ~~suffering adverse reaction to an insect sting~~ reasonably believed to be experiencing anaphylaxis.

(C) A person~~,~~ who is certified by the department to administer ~~emergency services for insect stings as provided in this chapter,~~ an epinephrine auto‑injector is authorized to obtain from a physician, pharmacist, or any other person or entity authorized to prescribe or sell prescribed medicines or drugs, a prescription for ~~premeasured doses of~~ epinephrine ~~and the necessary supplies for the administration of the drug~~ auto‑injectors.

Section 44‑99‑55. (A) An entity that employs a person certified by the department may obtain from a physician, pharmacist, or any other person or entity authorized to prescribe or sell prescribed medicines or drugs, a prescription for epinephrine auto‑injectors.

(B) A physician, pharmacist, or any other person or entity authorized to prescribe or sell prescribed medicines or drugs may prescribe and dispense epinephrine auto‑injectors in the name of an entity.

(C) An entity described in subsection (A) may make epinephrine auto‑injectors available to a certified employee, agent, or other individual who is certified by the department, and the employee, agent, or other person may use the epinephrine auto‑injectors pursuant to Section 44‑99‑50.

Section 44‑99‑60. Licensed, registered, and certified physicians,

nurses, and other ~~such~~ certified professionals are not required to obtain certification for the administration of ~~emergency treatment to persons suffering a severe adverse reaction to an insect sting~~ epinephrine auto‑injectors as prescribed in this chapter.

Section 44‑99‑70. The department may collect fees from applicants for the training program for administration of this chapter.

Section 44‑99‑80. ~~No~~ A cause of action may not be brought for an act or omission taken in good faith pursuant to this chapter, except in cases of gross negligence, against:

(1) a certificate holder ~~authorized by the department pursuant to this chapter for an act or omission of the certificate holder when acting in good faith while rendering emergency treatment pursuant to the authority granted by this chapter, except in cases of gross negligence~~;

(2) an entity described in Section 44‑99‑55;

(3) a physician, pharmacist, or other person or entity authorized to prescribe or sell prescribed medicines or drugs pursuant to Section 44‑99‑55; or

(4) an organization or person that conducts training pursuant to Section 44‑99‑30(C).”

SECTION 2. This act takes effect upon approval by the Governor.

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