

HOUSE BILL NO. 365

INTRODUCED BY T. STEENBERG

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A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING ACCESS TO PRESCRIPTION PREMEASURED DOSES OF EPINEPHRINE BY CERTAIN TRAINED EMERGENCY RESPONDERS; REQUIRING THE BOARD OF MEDICAL EXAMINERS TO ADOPT RULES REGARDING A TRAINING CURRICULUM FOR EMERGENCY RESPONDERS; PROVIDING FOR TRAINING CURRICULUM RECOMMENDATIONS FROM THE BOARD OF PHARMACY; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Prescription availability of epinephrine for emergency responders.

(1) An emergency responder may receive from any medical practitioner with prescriptive authority a prescription for a premeasured dose of epinephrine and any devices necessary for administration of the premeasured dose for use only in an emergency situation for which the emergency responder has been trained as provided in [section 2].

(2) A medical practitioner who is asked to provide a prescription under this section shall verify that the requester is an emergency responder and that the requester's license is in good standing.

(3) (a) The requester shall provide proof that the requester may serve in an emergency situation in which administration of the prescription may be necessary.

(b) The board of medical examiners shall by rule describe the type of proof that is required.

(4) For the purposes of [section 2] and this section, the following definitions apply:

(a) "Emergency responder" means a person who has received training as provided in [section 2], who is licensed in the practice of professional nursing under Title 37, chapter 8, or as an emergency medical technician as provided in Title 50, chapter 6, and who may be responding to an emergency situation.

(b) "Emergency situation" means a life-threatening occasion for a person who has a severe allergic reaction, who is unresponsive or otherwise unable to self-administer epinephrine, and for whom access to medical care is not possible other than care being provided by an emergency responder.

NEW SECTION. Section 2. Training for epinephrine administration -- rulemaking. (1) To be eligible



1 for a prescription of premeasured epinephrine for use in an emergency situation, an emergency responder must
2 be trained in the administration of a premeasured dose of epinephrine as provided in this section.

3 (2) An individual or an organization offering the training shall submit the training curriculum to the board
4 of medical examiners. The board may not deny the use of the training curriculum if it meets the following criteria:

5 (a) the training is to be conducted under the supervision of any of the following whose scope of practice
6 includes administration of epinephrine:

7 (i) a physician licensed under Title 37, chapter 3;

8 (ii) an advanced practice registered nurse licensed under Title 37, chapter 8, whose license allows the
9 prescription of drugs; or

10 (iii) a physician assistant licensed under Title 37, chapter 20; and

11 (b) the training meets the requirements established by rules adopted by the board of medical examiners
12 as provided in subsection (3).

13 (3) (a) The board of medical examiners shall adopt rules for the training curriculum that must include the
14 following subjects:

15 (i) recognition of the symptoms of systemic allergic responses to insect stings and other allergens;

16 (ii) familiarity with common factors that are likely to elicit severe and systemic allergic responses;

17 (iii) proper administration of an intramuscular or subcutaneous injection of epinephrine for severe allergic
18 responses to insect stings and other allergens;

19 (iv) necessary followup treatment; and

20 (v) criteria recommended by the board of pharmacy for disposal of prescriptions that have been filled but
21 are unused.

22 (b) Lack of recommendations from the board of pharmacy may not serve as a reason to deny
23 authorization of a training curriculum.

24 (4) The board of medical examiners may develop a certificate to be issued to a person who successfully
25 completes the required training and may by rule require periodic renewal of the certificate.

26 (5) The rules for training may not limit eligibility other than requiring the trainee to be at least 18 years
27 of age.

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29 **NEW SECTION. Section 3. Codification instruction.** [Sections 1 and 2] are intended to be codified
30 as an integral part of Title 37, chapter 2, part 1, and the provisions of Title 37, chapter 2, part 1, apply to [sections

1 1 and 2].

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3 NEW SECTION. **Section 4. Effective date.** [This act] is effective July 1, 2013.

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