

Introduced by

Senators Bell, K. Roers

Representative Rohr

1 A BILL for an Act to amend and reenact section 23-01-05.2 of the North Dakota Century Code,
2 relating to administration of epinephrine.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 23-01-05.2 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **23-01-05.2. Administration of epinephrine - Liability.**

- 7 1. The ~~state health officer~~council shall adopt rules to authorize ~~a layperson~~any member
8 of the public to administer epinephrine to an individual who has a severe allergic
9 reaction.
- 10 2. An individual authorized to administer epinephrine by the state health officer may
11 obtain premeasured doses of epinephrine and the necessary paraphernalia for
12 epinephrine administration from any licensed physician or pharmacist.
- 13 3. An individual authorized to administer epinephrine by the state health officer, and the
14 employer of such an individual, is not civilly or criminally liable for any act or omission
15 of that individual when acting in good faith while rendering emergency treatment to an
16 individual who has a severe adverse reaction, except when the conduct amounts to
17 gross negligence.
- 18 4. Rules adopted under this section may not:
- 19 a. Limit the individuals authorized to administer epinephrine to teachers, camp
20 counselors, day counselors, day care operators, and security personnel;
- 21 b. Require training by a physician licensed by the North Dakota board of medicine
22 or the physician's designee to administer epinephrine; or
- 23 c. Require a prescription to obtain a disposable device to administer epinephrine.