SENATE HEALTH, HUMAN SERVICES AND SENIOR CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 3142

STATE OF NEW JERSEY

with committee amendments

DATED: JANUARY 14, 2021

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 3142.

As amended by the committee, this bill revises current laws concerning access to, and administration of, epinephrine auto-injector devices, to make those laws applicable to epinephrine nasal sprays as well. Epinephrine is a drug that is frequently used to treat anaphylaxis, which is a severe allergic reaction typically caused by exposure to certain foods or insect bites.

Specifically, current law provides that:

- Boards of education and nonpublic school administrators are required to develop policies concerning the emergency administration of epinephrine to a student for anaphylaxis via a pre-filled auto-injector mechanism;
- Public and independent institutions of higher education in New Jersey are permitted to develop a policy for the emergency administration of epinephrine for anaphylaxis via a pre-filled auto-injector mechanism;
- Any person who completes an educational program approved by the Commissioner of Health may obtain, administer, and dispose of an epinephrine auto-injector device;
- Emergency medical technicians who complete a training course and register with the Department of Health may carry epinephrine auto-injector devices on emergency medical services vehicles and administer the devices to treat patients; and
- Youth camps that meet certain requirements may obtain, maintain a supply of, and administer epinephrine auto-injector devices.

These laws generally provide civil immunity for anyone who obtains or administers an epinephrine auto-injector device consistent with all statutory requirements.

This bill will apply these same provisions of law to epinephrine nasal sprays, which are an alternate means of administering

epinephrine. Although no epinephrine nasal spray products have received final approval by the U.S. Food and Drug Administration, at least two products have been granted fast track status by the agency.

COMMITTEE AMENDMENTS:

The committee amendments revise language requiring schools to maintain a supply of epinephrine that has been prescribed under a standing protocol by a physician or advanced practice nurse. As introduced, the bill would have required schools to acquire a supply of both epinephrine auto-injector devices and epinephrine nasal sprays. As amended, the school will have the option to maintain a supply of auto-injector devices, nasal sprays, or both, but will not be required to maintain a supply of both auto-injector devices and nasal sprays; a school that maintains a supply of either type of epinephrine delivery mechanism will meet the statutory requirement.