

311.646 Prescription injectable epinephrine auto-injectors and bronchodilator rescue inhalers.

- (1) A health-care practitioner may prescribe injectable epinephrine devices and bronchodilator rescue inhalers in the name of an authorized entity or to a certified individual for use in accordance with this section.
- (2) A pharmacist may dispense injectable epinephrine devices and bronchodilator rescue inhalers pursuant to a prescription issued in the name of an authorized entity or to a certified individual.
- (3) The Department for Public Health, the Kentucky Board of Medical Licensure, the Kentucky Board of Nursing, the American Red Cross, or other training programs approved by the Department for Public Health may conduct in-person or on-line training for administering lifesaving treatment to persons believed in good faith to be experiencing severe allergic reactions and asthma symptoms or respiratory distress and issue a certificate of training to persons completing the training. The training shall include instructions for recognizing the symptoms of anaphylaxis and asthma and administering an injectable epinephrine device or a bronchodilator rescue inhaler.
- (4) An individual who has a certificate issued under this section may:
 - (a) Receive a prescription for injectable epinephrine devices and bronchodilator rescue inhalers from a health-care practitioner;
 - (b) Possess prescribed injectable epinephrine devices and bronchodilator rescue inhalers; and
 - (c) In an emergency situation when a physician is not immediately available and the certified individual in good faith believes a person is experiencing a severe allergic reaction, asthma symptoms, or respiratory distress regardless of whether the person has a prescription for an injectable epinephrine device or a bronchodilator rescue inhaler or has previously been diagnosed with an allergy or asthma:
 1. Administer an injectable epinephrine device or a bronchodilator rescue inhaler to the person; and
 2. Provide an injectable epinephrine device or a bronchodilator rescue inhaler to the person for immediate self-administration.
- (5) An authorized entity that acquires and stocks a supply of injectable epinephrine devices or bronchodilator rescue inhalers with a valid prescription shall:
 - (a) Store the injectable epinephrine devices and bronchodilator rescue inhalers in accordance with manufacturer's instructions and with any additional requirements established by the department; and
 - (b) Designate an employee or agent who holds a certificate issued under this section to be responsible for the storage, maintenance, and general oversight of injectable epinephrine devices and bronchodilator rescue inhalers acquired by the authorized entity.
- (6) Any individual or entity who administers or provides an injectable epinephrine

device to a person who is experiencing a severe allergic reaction shall contact the local emergency medical services system as soon as possible.

- (7) Any individual or entity who acquires and stocks a supply of injectable epinephrine devices in accordance with this section shall notify an agent of the local emergency medical services system and the local emergency communications or vehicle dispatch center of the existence, location, and type of the injectable epinephrine devices acquired if a severe allergic reaction has occurred.

Effective: June 29, 2021

History: Amended 2021 Ky. Acts ch. 112, sec. 4, effective June 29, 2021. -- Created 2015 Ky. Acts ch. 113, sec. 30, effective June 24, 2015.

Legislative Research Commission Note (6/24/2015). 2015 Ky. Acts ch. 113, sec. 32 provides that this statute and KRS 311.645 and 311.647 created in 2015 Ky. Acts ch. 113, secs. 29, 30, and 31 may be cited as the "Emergency Allergy Treatment Act."