

158.837 Use of undesignated glucagon by practitioner, pharmacist, or trained individual -- Storage -- Contacting parents, guardians, and emergency services -- Good Samaritan exception -- Immunity from civil liability.

- (1) As used in this section:
 - (a) "Administer" means to give glucagon;
 - (b) "Authorized entity" means a public, private, or parochial school that has a trained individual on the premises or is officially associated with a trained individual;
 - (c) "Diabetes medical management plan" means a written, individualized diabetes care plan prepared by the student's treating diabetes practitioner or practitioner team that prescribes how the student's diabetes needs are to be met in the school setting;
 - (d) "Pharmacist" has the same meaning as in KRS 315.010;
 - (e) "Trained individual" means a school employee or contractor who has successfully completed an approved education training program under KRS 158.838; and
 - (f) "Undesignated glucagon" means glucagon prescribed in the name of an authorized entity.
- (2) A health care practitioner, acting within the health care practitioner's scope of practice, may prescribe undesignated glucagon in the name of an authorized entity or trained individual for use in accordance with this section.
- (3) A pharmacist may dispense undesignated glucagon for a prescription issued in the name of an authorized entity or trained individual for use in accordance with this section.
- (4) A trained individual may administer undesignated glucagon in an emergency situation when a school nurse or other licensed health care practitioner is not immediately available and the trained individual believes in good faith that a student is experiencing severe hypoglycemia or other conditions noted in that student's diabetes medical management plan.
- (5) An authorized entity that acquires and stocks a supply of undesignated glucagon with a valid prescription shall:
 - (a) Store the undesignated glucagon in accordance with the manufacturer's instructions in a location that is immediately accessible to trained individuals and any additional requirements established by the Kentucky Department for Public Health; and
 - (b) Require a school nurse or a trained individual to be responsible for the storage, maintenance, and general oversight of the undesignated glucagon acquired by the authorized entity.
- (6) Any authorized entity or trained individual that acquires and stocks a supply of undesignated glucagon in accordance with this section shall notify the assigned school nurse or other school health care provider, an agent of the local emergency medical services, and the local emergency communications or dispatch center of the existence, location, and type of glucagon acquired.

- (7) Any authorized entity or trained individual that administers or provides undesignated glucagon to a student who is believed to be experiencing severe hypoglycemia or other conditions noted in that student's diabetes medical management plan shall contact the student's parent, guardian, or emergency contact, and local emergency medical services as soon as possible.
- (8) The requirements of subsection (7) of this section shall not apply to any individual who administers or provides undesignated glucagon if that individual is acting as a Good Samaritan under KRS 313.035 and 411.148.
- (9) Any authorized entity or trained individual that, in good faith and without compensation, renders emergency care or treatment by the use of undesignated glucagon under this section or KRS 158.834 shall be immune from civil liability for any personal injury resulting from the care or treatment, or resulting from any act or failure to act in providing or arranging further medical treatment, if the person acts as an ordinary, reasonably prudent person would have acted under the same or similar circumstances.
- (10) The immunity granted under subsection (9) of this section applies to:
 - (a) A health care practitioner who prescribes or authorizes the emergency use of undesignated glucagon;
 - (b) A pharmacist who fills a prescription for undesignated glucagon;
 - (c) A trained individual who administers or provides undesignated glucagon;
 - (d) An authorized entity that acquires and stocks undesignated glucagon, or provides undesignated glucagon to a trained individual; and
 - (e) An individual trainer or training entity providing the required training to a trained individual.
- (11) The immunity granted under subsection (9) of this section shall not apply if the personal injury results from the gross negligence or willful or wanton misconduct of the person rendering the care or treatment.

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