

1 AN ACT relating to undesignated glucagon.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 217 IS CREATED TO  
4 READ AS FOLLOWS:

5 *As used in Sections 1 to 3 of this Act:*

6 *(1) "Administer" means to directly apply glucagon;*

7 *(2) "Authorized entity" means a public, private, or parochial school that has a*  
8 *trained individual present on the premises or officially associated with the entity*  
9 *who is trained as required under Section 2 of this Act to receive and administer*  
10 *undesignated glucagon;*

11 *(3) "Diabetes medical management plan" means a written, individualized health*  
12 *plan designed to acknowledge and prepare for the health care needs of a student*  
13 *diagnosed with diabetes that is prepared by the student's treating practitioner or*  
14 *practitioner team;*

15 *(4) "Pharmacist" has the same meaning as in KRS 315.010;*

16 *(5) "Practitioner" has the same meaning as in KRS 217.015;*

17 *(6) "Trained individual" means an individual who has successfully completed an*  
18 *approved education training program under KRS 158.838; and*

19 *(7) "Undesignated glucagon" means glucagon prescribed in the name of an*  
20 *authorized entity or trained individual in accordance with Sections 1 to 3 of this*  
21 *Act.*

22 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 217 IS CREATED TO  
23 READ AS FOLLOWS:

24 *(1) A practitioner, acting within the practitioner's scope of practice, may prescribe*  
25 *undesignated glucagon in the name of an authorized entity or trained individual*  
26 *for use in accordance with this section.*

27 *(2) A pharmacist may dispense undesignated glucagon for a prescription issued in*

- 1        the name of an authorized entity or trained individual.
- 2        (3) A trained individual who has successfully completed the training requirements  
3        under KRS 158.838 may:
- 4        (a) Receive a prescription for undesignated glucagon from a practitioner or  
5        pharmacist; and
- 6        (b) Administer undesignated glucagon in an emergency situation when a  
7        school nurse or other licensed practitioner is not immediately available and  
8        the trained individual believes in good faith that a student is experiencing  
9        severe hypoglycemia or other conditions noted in that student's diabetes  
10       medical management plan, regardless of whether that student has a  
11       prescription for glucagon.
- 12       (4) An authorized entity that acquires and stocks a supply of undesignated glucagon  
13       with a valid prescription shall:
- 14       (a) Store the undesignated glucagon in accordance with the manufacturer's  
15       instructions and with any additional requirements established by the  
16       Department for Public Health; and
- 17       (b) Designate a trained individual to be responsible for the storage,  
18       maintenance, and general oversight of the undesignated glucagon acquired  
19       by the authorized entity.
- 20       (5) Any authorized entity or trained individual that acquires and stocks a supply of  
21       undesignated glucagon in accordance with this section shall notify an agent of  
22       the local emergency medical services and the local emergency communications or  
23       dispatch center of the existence, location, and type of glucagon acquired.
- 24       (6) Any authorized entity or trained individual that administers or provides  
25       undesignated glucagon to a student who is experiencing severe hypoglycemia or  
26       other conditions noted in that student's diabetes medical management plan shall  
27       contact the student's parent, guardian, or emergency contact, and local

1 emergency medical services as soon as possible.

2 (7) The requirements of subsection (6) of this section shall not apply to any  
3 individual who administers or provides undesignated glucagon if that individual  
4 is acting as a Good Samaritan under KRS 313.035 and 411.148.

5 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 217 IS CREATED TO  
6 READ AS FOLLOWS:

7 (1) Any authorized entity or trained individual that, in good faith and without  
8 compensation, renders emergency care or treatment by the use of undesignated  
9 glucagon under Sections 1 to 3 of this Act shall be immune from civil liability for  
10 any personal injury resulting from the care or treatment, or resulting from any  
11 act or failure to act in providing or arranging further medical treatment, if the  
12 person acts as an ordinary, reasonably prudent person would have acted under  
13 the same or similar circumstances.

14 (2) The immunity under subsection (1) of this section applies to:

15 (a) A practitioner who prescribes or authorizes the emergency use of  
16 undesignated glucagon;

17 (b) A pharmacist who fills a prescription for undesignated glucagon;

18 (c) A trained individual who administers or provides undesignated glucagon;

19 (d) An authorized entity that acquires and stocks undesignated glucagon, or  
20 provides undesignated glucagon to a trained individual; and

21 (e) An individual trainer or training entity providing the required training to a  
22 trained individual.

23 (3) The immunity under subsection (1) of this section shall not apply if the personal  
24 injury results from the gross negligence or willful or wanton misconduct of the  
25 person rendering the care or treatment.