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 "Administer" means to directly apply glucagon: (1) 7 "Authorized entity" means a public, private, or parochial school that has a (2)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 "Diabetes medical management plan" means a written, individualized health *(3)* 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 "Trained individual" means an individual who has successfully completed an (6) 18 approved education training program under KRS 158.838; and 19 "Undesignated glucagon" means glucagon prescribed in the name of an (7) 20 authorized entity or trained individual in accordance with Sections 1 to 3 of this 21 <u>Act.</u> 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

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1		the name of an authorized entity or trained individual.
2	<u>(</u> 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		<u>medical management plan, regardless of whether that student has a</u>
11		prescription for glucagon.
12	<u>(4)</u>	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	<u>(5)</u>	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	<u>(6)</u>	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

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<ul> <li>individual who administers or provides undesignated glucagon if that individual</li> <li>is acting as a Good Samaritan under KRS 313.035 and 411.148.</li> <li>SECTION 3. A NEW SECTION OF KRS CHAPTER 217 IS CREATED TO</li> <li>READ AS FOLLOWS:</li> <li>(1) Any authorized entity or trained individual that, in good faith and without</li> <li>compensation, renders emergency care or treatment by the use of undesignated</li> <li>glucagon under Sections 1 to 3 of this Act shall be immune from civil liability for</li> <li>any personal injury resulting from the care or treatment, or resulting from an</li> <li>act or failure to act in providing or arranging further medical treatment, if th</li> <li>person acts as an ordinary, reasonably prudent person would have acted under</li> <li>the same or similar circumstances.</li> <li>(2) The immunity under subsection (1) of this section applies to:</li> <li>(a) A practitioner who prescribes or authorizes the emergency use of</li> <li>undesignated glucagon;</li> <li>(b) A pharmacist who fills a prescription for undesignated glucagon;</li> <li>(c) A trained individual who administers or provides undesignated glucagon;</li> <li>(d) An authorized entity that acquires and stocks undesignated glucagon;</li> <li>(e) An individual trainer or training entity providing the required training to a trained individual.</li> <li>(f) The immunity under subsection (1) of this section shall not apply if the personal</li> </ul>	1		<u>emergency medical services as soon as possible.</u>
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 fo         10       any personal injury resulting from the care or treatment, or resulting from an         11       act or failure to act in providing or arranging further medical treatment, if th         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 or         16       undesignated glucagon;         17       (b) A pharmacist who fills a prescription for 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 trained individual.         22       trai	2	<u>(7)</u>	The requirements of subsection (6) of this section shall not apply to any
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	24		injury results from the gross negligence or willful or wanton misconduct of the
25 <i>person rendering the care or treatment.</i>	25		person rendering the care or treatment.

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