

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1148 Session of
2009

INTRODUCED BY MURT, BRENNAN, BRIGGS, COHEN, D. COSTA, CREIGHTON,
GIBBONS, GOODMAN, KORTZ, MELIO, D. O'BRIEN, PARKER, READSHAW,
SIPTROTH, K. SMITH, STEVENSON, J. TAYLOR, VULAKOVICH AND
YOUNGBLOOD, MARCH 31, 2009

REFERRED TO COMMITTEE ON EDUCATION, MARCH 31, 2009

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," providing for food allergy reaction
6 management in public schools.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
10 as the Public School Code of 1949, is amended by adding a
11 section to read:

12 Section 528. Food Allergy Reaction Management.--(a) The
13 Department of Education shall research and publish food allergy
14 management guidelines to be used by each school district when
15 developing its own food allergy reaction management practices
16 and shall use National Medical Organizations like the American
17 Academy of Allergy, Asthma & Immunology (AAAAI) and the Food
18 Allergy Network in the development of these guidelines.

19 (b) The Department of Education shall assist each school

district in applying for any available Federal grants relating to food allergy reaction management at public schools.

(c) The food allergy management guidelines must address the following:

(1) Requiring schools to direct parents to inform school administrators regarding medical information and physician directions for students who experience food allergies.

(2) Educating teachers of students with food allergies about the nature of the food allergies.

(3) Educating teachers and principals on the issue of food allergies in children.

(4) Training teachers in cardiovascular pulmonary resuscitation and, in the case where a school nurse is not immediately available, in the administration of medication for emergencies involving students with food allergies.

(5) Allowing capable students with food allergies to carry and self-administer their own medication during emergencies involving food allergies under certain circumstances.

(6) Updating medical information annually for students with food allergies.

(7) Teaching all students to understand the impact of food allergies to allow them to empathize with students who have food allergies.

(d) Any teacher, principal, school nurse or other employe of a school district who has received training from the school district relating to its food allergy reaction guidelines and who complies in good faith with the guidelines shall be immune from liability as a result of an injury arising out of the administration of medication to a student with food allergies.

Section 2. This act shall take effect in 60 days.