

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 790 Session of 2009

INTRODUCED BY BOSCOLA, KASUNIC, TARTAGLIONE, FONTANA, HUGHES AND WONDERLING, APRIL 23, 2009

REFERRED TO EDUCATION, APRIL 23, 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 encourage each school district to
 14 develop and implement uniform guidelines for all schools in the
 15 district relating to food allergy reaction management and shall
 16 assist each school district in applying for any available
 17 Federal grants relating to food allergy reaction management at
 18 public schools.

19 (b) The guidelines may include such provisions as:

20 (1) Directing parents to inform school administrators and

1 provide medical information and physician directions for
2 students who experience food allergies.

3 (2) Informing teachers of students with food allergies about
4 the nature of the food allergies.

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

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

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

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

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

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