

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H

1

HOUSE BILL 397

Short Title: Use of Epinephrine Nasal Spray in Schools. (Public)

Sponsors: Representative Lambeth.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Health, if favorable, Education - K-12, if favorable, Rules, Calendar, and
Operations of the House

March 17, 2025

A BILL TO BE ENTITLED
AN ACT TO ALLOW THE USE OF EPINEPHRINE NASAL SPRAY IN ADDITION TO
AUTO-INJECTORS IN SCHOOLS.

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 115C-375.2(a) reads as rewritten:

"(a) Local boards of education shall adopt a policy authorizing a student with asthma or a student subject to anaphylactic reactions, or both, to possess and self-administer asthma medication on school property during the school day, at school-sponsored activities, or while in transit to or from school or school-sponsored events. As used in this section, "asthma medication" means a medicine prescribed for the treatment of asthma or anaphylactic reactions and includes a prescribed asthma inhaler or epinephrine ~~auto-injector.~~ delivery system. The policy shall include a requirement that the student's parent or guardian provide to the school:

...."

SECTION 1.(b) G.S. 115C-375.2A reads as rewritten:

"§ 115C-375.2A. School supply of epinephrine ~~auto-injectors.~~ delivery systems.

(a) A local board of education shall provide for a supply of emergency epinephrine ~~auto-injectors.~~ delivery systems on school property for use by trained school personnel to provide emergency medical aid to persons suffering from an anaphylactic reaction during the school day and at school-sponsored events on school property. Each school shall store in a secure but unlocked and easily accessible location a minimum of two epinephrine ~~auto-injectors.~~ delivery systems. For purposes of this section, "school property" does not include transportation to or from school.

(b) For the purposes of this section and G.S. 115C-375.2, "epinephrine ~~auto-injector~~ delivery system" means a disposable drug delivery system ~~with a spring activated, concealed needle~~ that is designed for emergency administration of epinephrine to provide rapid, convenient first aid for persons suffering a potentially fatal reaction to ~~anaphylaxis.~~ anaphylaxis, including nasal sprays and injectors with a spring-activated, concealed needle.

(c) The principal shall designate one or more school personnel, as part of the medical care program under G.S. 115C-375.1, to receive initial training and annual retraining from a school nurse or qualified representative of the local health department regarding the storage and emergency use of ~~an epinephrine auto-injector.~~ delivery systems. Notwithstanding any other provision of law to the contrary, the school nurse or other designated school personnel who has received training under this subsection shall obtain a non-patient specific prescription for ~~an epinephrine auto-injectors.~~ delivery system from a physician, physician assistant, or nurse



practitioner of the local health department serving the area in which the local school administrative unit is located.

(d) The principal shall collaborate with appropriate school personnel to develop an emergency action plan for the use of epinephrine ~~auto-injectors~~ delivery systems in an emergency. The plan shall include at least the following components:

- (1) Standards and procedures for the storage and emergency use of epinephrine ~~auto-injectors~~ delivery systems by trained school personnel.
- (2) Training of school personnel in recognizing symptoms of anaphylaxis.
- (3) Emergency follow-up procedures, including calling emergency services and contacting a student's parent and physician.
- (4) Instruction and certification in cardiopulmonary resuscitation.

(e) A supply of emergency epinephrine ~~auto-injectors~~ delivery systems provided in accordance with this section shall not be used as the sole medication supply for students known to have a medical condition requiring the availability or use of an epinephrine ~~auto-injector~~ delivery system. Those students may be authorized to possess and self-administer their medication on school property under G.S. 115C-375.2.

...."

SECTION 2.(a) G.S. 115C-218.75(a) reads as rewritten:

"§ 115C-218.75. General operating requirements.

(a) Health and Safety Standards. – A charter school shall meet the same health and safety requirements required of a local school administrative ~~unit~~ unit, including the following:

- (1) The Department of Public Instruction shall ensure that charter schools provide parents and guardians with information about meningococcal meningitis and influenza and their vaccines at the beginning of every school year. This information shall include the causes, symptoms, and how meningococcal meningitis and influenza are spread and the places where parents and guardians may obtain additional information and vaccinations for their children.
- (2) The Department of Public Instruction shall also ensure that charter schools provide parents and guardians with information about cervical cancer, cervical dysplasia, human papillomavirus, and the vaccines available to prevent these diseases. This information shall be provided at the beginning of the school year to parents of children entering grades five through 12. This information shall include the causes and symptoms of these diseases, how they are transmitted, how they may be prevented by vaccination, including the benefits and possible side effects of vaccination, and the places where parents and guardians may obtain additional information and vaccinations for their children.
- (3) The Department of Public Instruction shall also ensure that charter schools provide students in grades seven through 12 with information annually on the preventable risks for preterm birth in subsequent pregnancies, including induced abortion, smoking, alcohol consumption, the use of illicit drugs, and inadequate prenatal care.
- (4) The Department of Public Instruction shall also ensure that charter schools provide students in grades nine through 12 with information annually on the manner in which a parent may lawfully abandon a newborn baby with a responsible person, in accordance with Article 5A of Chapter 7B of the General Statutes.
- (5) The Department of Public Instruction shall also ensure that the guidelines for individual diabetes care plans adopted by the State Board of Education under G.S. 115C-12(31) are implemented in charter schools in which students with

1 diabetes are enrolled and that charter schools otherwise comply with
2 G.S. 115C-375.3.

3 (6) The Department of Public Instruction shall ensure that charter schools comply
4 with G.S. 115C-375.2A. The board of directors of a charter school shall
5 provide the school with a supply of emergency epinephrine ~~auto-injectors~~
6 ~~delivery systems~~ necessary to meet the requirements of G.S. 115C-375.2A."

7 **SECTION 2.(b)** G.S. 115C-238.66(7) reads as rewritten:

8 "(7) Health and safety. – The board of directors shall require that the regional
9 school meet the same health and safety standards required of a local school
10 administrative unit.

11 The Department of Public Instruction shall ensure that regional schools
12 comply with G.S. 115C-375.2A. The board of directors of a regional school
13 shall provide the school with a supply of emergency epinephrine
14 ~~auto-injectors—delivery systems~~ necessary to carry out the provisions of
15 G.S. 115C-375.2A."

16 **SECTION 3.** This act is effective when it becomes law and applies beginning with
17 the 2025-2026 school year.