

JAN 23 2026

A BILL FOR AN ACT

RELATING TO EMERGENCY MEDICATION IN SCHOOLS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that asthma is a leading
2 chronic condition in school-aged children, affecting
3 approximately ten per cent of school-aged children in the United
4 States and afflicting Native Hawaiian children at a
5 higher-than-average rate in the State. Additionally, food
6 allergies and anaphylaxis are increasing in prevalence. As many
7 as one-quarter of school-aged children in the United States are
8 impacted by allergies, while more than forty per cent of
9 children with food allergies suffer a severe allergic reaction
10 before turning eighteen-years-old. Furthermore, an estimated
11 460,000 school-aged children in the United States have epilepsy
12 or other seizure disorders, representing approximately 0.6 per
13 cent of the student population.

14 The legislature therefore finds that access to emergency
15 medications for students with chronic health conditions is
16 essential to school safety and equity in student success.
17 Epinephrine is the first-line, life-saving treatment for



1 anaphylaxis and must be administered immediately upon
2 recognition of symptoms. Delays in administration can result in
3 severe complications or death. Similarly, timely administration
4 of asthma rescue medications can prevent respiratory distress
5 from escalating to a life-threatening emergency, and seizure
6 rescue medications administered within appropriate timeframes
7 can prevent status epilepticus, a prolonged seizure state that
8 can cause permanent neurological damage or death. As these
9 medical emergencies may occur in the classroom, cafeteria, or
10 playground, rapid response school personnel properly trained and
11 authorized to administer emergency medications serve a critical
12 role in protecting student health and safety.

13 Accordingly, the purpose of this Act is to:

- 14 (1) Establish provisions for emergency medication
15 administration by trained school personnel separately
16 from regulations for student self-administration of
17 medications;
- 18 (2) Update the terminology for anaphylaxis emergency
19 rescue medication to encompass epinephrine in all
20 forms approved by the United States Food and Drug
21 Administration, including but not limited to



1 auto-injectors, pre-filled syringes, and nasal sprays,
2 ensuring that new technologies and easy-to-use devices
3 are included by applicable state laws;

4 (3) Expand the scope of covered emergency medications to
5 include asthma rescue inhalers and seizure rescue
6 medications, recognizing that these interventions are
7 medically necessary, life-saving, and appropriate for
8 administration by trained school personnel in
9 emergency situations; and

10 (4) Extend liability protections for public schools,
11 school personnel, and medical providers acting in good
12 faith to save lives, while maintaining essential
13 safeguards including requirements for parent or
14 guardian authorization, prescriptions from licensed
15 medical practitioners, and training by qualified
16 health care providers.

17 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
18 amended by adding a new section to subpart F of part III to be
19 appropriately designated and to read as follows:

20 "§302A- Emergency administration of medication by
21 volunteer; assistance with diabetes testing, blood glucose



1 monitoring, and inhalers; permitted. (a) Employees and agents
2 of a public school, including school health assistants, who
3 volunteer, may administer epinephrine, glucagon, seizure rescue
4 medication, and inhalers to a student in emergency situations;
5 provided that the administration of medication meets the
6 requirements of this section.

7 (b) Employees and agents of a public school who volunteer
8 may administer:

9 (1) Insulin or assist a student in administering insulin
10 via the insulin delivery system that the student uses;
11 and

12 (2) Blood glucose monitoring or assist a student with
13 blood glucose monitoring;

14 provided that the administration of insulin or blood glucose
15 monitoring meets the requirements of this section.

16 (c) In the case of the administration of emergency
17 medication prescribed to a specific student, including
18 epinephrine, glucagon, seizure rescue medication, and inhalers:

19 (1) The student's parent or guardian shall provide the
20 public school with:



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- 1 (A) A written request and authorization from the
2 parent or guardian for the administration of the
3 medication;
- 4 (B) Written medical orders for the medication from
5 the student's physician, advanced practice
6 registered nurse, physician assistant, or other
7 practitioner with prescriptive authority; and
- 8 (C) The supply of medication prescribed to the
9 student and any necessary devices or inhalers as
10 required for the requested emergency medication
11 administration;
- 12 (2) The permission shall be effective for the school year
13 for which the permission is granted and shall be
14 renewed for each subsequent school year upon the
15 fulfillment of the requirements pursuant to this
16 section;
- 17 (3) The public school may store the student's medication
18 and related supplies in a secure but accessible
19 location; and
- 20 (4) Any employee or agent who volunteers to administer the
21 medication shall receive instruction in the proper



1 administration of epinephrine, glucagon, seizure
2 rescue medication, or inhalers by a licensed
3 physician, physician assistant, registered nurse,
4 advanced practice registered nurse, or other qualified
5 licensed health care professional.

6 (d) In the case of the administration of, or assistance in
7 the administration of, insulin or blood glucose monitoring to a
8 student:

9 (1) The student's parent or guardian shall provide the
10 public school with:

11 (A) A written request and authorization from the
12 parent or guardian for the administration of
13 insulin or blood glucose monitoring;

14 (B) Written medical orders for the administration of
15 insulin or blood glucose monitoring from the
16 student's physician, advanced practice registered
17 nurse, physician assistant, or other practitioner
18 with prescriptive authority; and

19 (C) The supply of insulin prescribed to the student
20 and any supplies necessary to administer insulin



1 or blood glucose monitoring, as required for the
2 requested administration or assistance;

3 (2) The permission shall be effective for the school year
4 for which the permission is granted and shall be
5 renewed for each subsequent school year upon the
6 fulfillment of the requirements pursuant to this
7 section;

8 (3) The public school may store the student's medication
9 and related supplies in a secure but accessible
10 location; and

11 (4) Any employee or agent who volunteers to administer
12 insulin or blood glucose monitoring shall receive
13 instruction in the proper administration of insulin or
14 blood glucose monitoring by a licensed physician,
15 physician assistant, registered nurse, advanced
16 practice registered nurse, or certified diabetes
17 educator.

18 (e) The department shall permit its employees and agents
19 to volunteer to administer:

20 (1) Insulin, or assist a student in administering insulin,
21 via the insulin delivery system that the student uses;



1 (2) Glucagon in an emergency situation to students with
2 diabetes;

3 (3) Epinephrine in an emergency situation to students with
4 anaphylaxis;

5 (4) Blood glucose monitoring, or assist a student with
6 blood glucose monitoring;

7 (5) Seizure rescue medication in an emergency situation to
8 students with epilepsy or other seizure disorders; or

9 (6) An inhaler in an emergency situation to students with
10 asthma or other chronic lung diseases.

11 (f) The department or public school shall inform the
12 student's parent or guardian in writing that the department or
13 public school and its employees and agents shall not incur any
14 liability as a result of any injury arising from compliance with
15 this section.

16 (g) The student's parent or guardian shall sign a
17 statement acknowledging that:

18 (1) The department or public school and its employees and
19 agents shall not incur any liability as a result of
20 any injury arising from compliance with this section;
21 and



1 (2) The parent or guardian shall indemnify and hold
2 harmless the department or public school and its
3 employees and agents against any claims arising out of
4 compliance with this section.

5 (h) Any public school or person, including the health
6 professionals providing training to persons who volunteer
7 subject to this section, the prescribing physician, physician
8 assistant, advanced practice registered nurse, or other
9 practitioner with prescriptive authority, and the pharmacist or
10 pharmacy dispensing the prescription, who acts in accordance
11 with the requirements of this section, shall be immune from any
12 civil or criminal liability arising from these acts, except
13 where the person's conduct would constitute gross negligence,
14 wilful and wanton misconduct, or intentional misconduct.

15 (i) As used in this section:

16 "Bronchodilators" includes any medication used for the
17 quick relief of asthma symptoms that dilates the airways and is
18 recommended by the National Heart, Lung, and Blood Institute's
19 National Asthma Education and Prevention Program guidelines for
20 the treatment of asthma. "Bronchodilators" may include an
21 orally inhaled medication that contains a premeasured single



1 dose of albuterol or albuterol sulfate delivered by a nebulizer
2 (compressor device) or by a metered dose inhaler used to treat
3 respiratory distress, including wheezing, shortness of breath,
4 and difficulty breathing, or another dosage of a bronchodilator
5 recommended in the guidelines for the treatment of asthma.

6 "Epinephrine" includes any device available by prescription
7 that is designed to deliver a premeasured dose of epinephrine,
8 including auto-injection devices, nasal spray devices, or oral
9 formulation.

10 "Glucagon" includes any device available by prescription
11 that is designed to deliver a premeasured dose of glucagon or
12 dasiglucagon, including injection kits, auto-injection devices,
13 or nasal spray devices.

14 "Inhaler" includes:

- 15 (1) Metered-dose, breath-actuated, and dry powder
16 inhalers;
17 (2) Spacers and holding chambers; and
18 (3) Bronchodilators.

19 "Seizure rescue medication" includes any medication or
20 device prescribed for use in an emergency situation to stop a



1 seizure or prevent a seizure from becoming more severe, which is
2 delivered as a premeasured dose."

3 SECTION 3. Section 302A-1164, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "§302A-1164 **Self-administration of medication by student**
6 **[and emergency administration]; self-testing and self-management**
7 **of diabetes by student; [assistance with diabetes testing,]**
8 **blood glucose monitoring by student; [assistance with blood**
9 **glucose monitoring,] permitted.** (a) The department shall
10 permit[÷

11 ~~(1) The]~~ the self-administration of[÷

12 ~~(A) Medication]~~ medication by a student for asthma,
13 anaphylaxis, diabetes, or other potentially
14 life-threatening illnesses[+] and

15 [~~(B) Blood]~~ blood glucose monitoring by a student[+
16 and

17 ~~(2) Department employees and agents to volunteer to~~
18 ~~administer:~~

19 ~~(A) Insulin or assist a student in administering~~
20 ~~insulin via the insulin delivery system that the~~
21 ~~student uses;~~



- 1 ~~(B) Glucagon in an emergency situation to students~~
- 2 ~~with diabetes;~~
- 3 ~~(C) Auto-injectable epinephrine in an emergency~~
- 4 ~~situation to students with anaphylaxis; or~~
- 5 ~~(D) Blood glucose monitoring or assist a student with~~
- 6 ~~blood glucose monitoring].~~

7 (b) The student's parent or guardian shall provide the
8 department with:

- 9 (1) Written authorization from the parent or guardian for
- 10 the self-administration of medication [~~or the~~
- 11 ~~emergency administration of glucagon or auto-~~
- 12 ~~injectable epinephrine;~~] by the student;
- 13 (2) In the case of self-administration of medication[~~+~~
- 14 ~~(A) Written~~] or blood glucose monitoring by a student
- 15 with diabetes, written certification from the
- 16 student's physician, advanced practice registered
- 17 nurse, [~~or~~] physician assistant, or other
- 18 qualified health care provider stating that the
- 19 student with diabetes may perform the student's
- 20 own blood glucose checks, administer insulin
- 21 through the student's insulin delivery system,



1 and otherwise attend to the care and management
2 of the student's diabetes during any
3 school-related activity, and that the student may
4 possess on the student's person all necessary
5 supplies and equipment to perform the diabetes
6 monitoring and treatment activities, if
7 applicable; and

8 ~~[(B)]~~ (3) Written certification from the student's
9 physician, advanced practice registered nurse, ~~[or]~~
10 physician assistant, or other qualified health care
11 provider stating that the student:

- 12 ~~[(i)]~~ (A) Has asthma, anaphylaxis, diabetes, or
- 13 another potentially life-threatening illness; and
- 14 ~~[(ii)]~~ (B) Is capable of, and has been instructed
- 15 in, the proper method of self-administration of
- 16 medication or blood glucose monitoring ~~[, and~~

17 ~~(3) In the case of administration of insulin or emergency~~
18 ~~administration of glucagon to a student with diabetes,~~
19 ~~blood glucose monitoring of a student, or auto-~~
20 ~~injectable epinephrine to a student with anaphylaxis,~~
21 ~~written certification from the student's physician,~~

1 ~~advanced practice registered nurse, or physician~~
2 ~~assistant stating that the student has medical orders~~
3 ~~that insulin, glucagon, blood glucose monitoring, or~~
4 ~~auto-injectable epinephrine may be administered by a~~
5 ~~volunteer].~~

6 (c) The department shall inform the student's parent or
7 guardian in writing that the department and its employees or
8 agents shall not incur any liability as a result of any injury
9 arising from compliance with this section.

10 (d) The student's parent or guardian shall sign a
11 statement acknowledging that:

12 (1) The department and its employees or agents shall not
13 incur any liability as a result of any injury arising
14 from compliance with this section; and

15 (2) The parent or guardian shall indemnify and hold
16 harmless the department and its employees or agents
17 against any claims arising out of compliance with this
18 section.

19 (e) The permission shall be effective for the school year
20 for which it is granted and shall be renewed for each subsequent



1 school year upon the fulfillment of the requirements in this
2 section.

3 (f) Notwithstanding any other law to the contrary, a
4 student who is permitted to self-administer medication under
5 this section shall be permitted to carry ~~[an inhaler or~~
6 ~~auto-injectable epinephrine, or both,]~~ the medication, and any
7 devices necessary to perform the permitted self-administration
8 of medication, at all times if the student does not endanger the
9 student's person or other persons through the misuse of the
10 ~~[inhaler,]~~ permitted medication or devices; provided that the
11 department~~[,]~~ or its employees or agents may confiscate a
12 student's medication~~[, inhaler, or auto-injectable epinephrine]~~
13 or devices if the student's self-administration of the
14 medication exceeds the student's prescribed dosage, or if the
15 student endangers others with the student's medication~~[,~~
16 ~~inhaler, or auto-injectable epinephrine.]~~ or device.

17 ~~[For the purposes of this section, the term "inhaler"~~
18 ~~includes:~~

- 19 (1) ~~Metered dose, breath-actuated, and dry powder~~
20 ~~inhalers; and~~
- 21 (2) ~~Spacers and holding chambers.~~



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1 ~~(g) Any employee or agent who volunteers to administer~~
2 ~~insulin or glucagon in an emergency situation to a student with~~
3 ~~diabetes or auto-injectable epinephrine to a student with~~
4 ~~anaphylaxis or who volunteers to administer or assist a student~~
5 ~~with blood glucose monitoring shall receive instruction in the~~
6 ~~proper administration of insulin, glucagon, auto-injectable~~
7 ~~epinephrine, or blood glucose monitoring by a qualified health~~
8 ~~care professional. A "qualified health care professional" means~~
9 ~~a licensed physician, physician assistant, advanced practice~~
10 ~~registered nurse or registered nurse, or certified diabetes~~
11 ~~educator. The student's parent or guardian shall supply the~~
12 ~~school with the glucagon kit required to administer the~~
13 ~~glucagon, any supplies necessary to administer insulin, blood~~
14 ~~glucose monitoring, or with auto-injectable epinephrine supplies~~
15 ~~to administer epinephrine. The school shall store the glucagon~~
16 ~~kit, insulin supplies, blood glucose monitoring supplies, or~~
17 ~~auto-injectable epinephrine supplies in a secure but accessible~~
18 ~~location.~~

19 ~~(h)]~~ (g) Any person~~[, except for a qualified health care~~
20 ~~professional providing the training required in subsection (g),]~~
21 who acts in accordance with the requirements of this section



1 shall be immune from any civil or criminal liability arising
2 from these acts, except where the person's conduct would
3 constitute gross negligence, wilful and wanton misconduct, or
4 intentional misconduct."

5 SECTION 4. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 5. This Act shall take effect upon its approval.
8

INTRODUCED BY:

Michelle A. Stelone



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Report Title:

Department of Education; Public Schools; Emergency Medication Administration and Assistance; Protocol; Blood Glucose Monitoring; Diabetes Testing; Seizure Rescue Medication; Inhalers; School Health Assistants; Prescriptions; Indemnification

Description:

Establishes provisions regarding the volunteered administration of certain medications by authorized persons at public schools, including requirements for parent authorization, administration instruction, and liability protections. Expands permitted emergency treatments to include epinephrine, inhalers, seizure rescue medication, glucagon, insulin, and blood-glucose monitoring.

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