



<p>Subject: <i>Supply of epinephrine auto-injectors in schools</i></p> <p>Date Issued: October 1, 2024</p>	<p>Legal Reference: <i>HB 1088 (2024 Legislative Session)</i></p> <ul style="list-style-type: none"><i>RSA 200:44-b</i>
--	--

This Technical Advisory continues the New Hampshire Department of Education’s communication regarding recent legislative changes affecting school health and safety policies. During the 2023-2024 legislative session, HB 1088 created a new section, RSA 200:44-b, which enables schools to maintain a supply of epinephrine auto-injectors.

*HB 1088 was effective upon its passage on **May 14, 2024**.*

HB 1088 establishes guidelines for the maintenance and use of epinephrine auto-injectors within school districts. The law allows school boards to authorize school nurses to manage a stock of epinephrine auto-injectors for use in life-threatening allergic emergencies. Below is a summary of the key provisions:

- School boards may authorize a school nurse to maintain a supply of epinephrine auto-injectors in the event of an allergic emergency. The school nurse shall determine the appropriate quantity based on the needs of the school (e.g. schools’ population and potential risk factors);
- Health care practitioners may prescribe epinephrine auto-injectors in the name of a school district for use in life-saving allergy emergency situations;
- Pharmacists may dispense epinephrine auto-injectors pursuant to a prescription issued in the name of a school. A school, under the direction of the school nurse, may maintain a supply of epinephrine auto-injectors for use in accordance with this subdivision;
- Schools may enter into agreements with manufacturers, third-party suppliers, or health care offices to acquire epinephrine auto-injectors at no cost, fair-market prices, or reduced rates. Schools may accept gifts, grants, or donations to purchase these auto-injectors; and
- Schools that maintain a supply of epinephrine auto-injectors pursuant to this subdivision must prepare and maintain an annual report summarizing their use. Schools are also encouraged to carefully monitor effectivity dates of its supply of epinephrine.

The items set forth above should all be adequately addressed in local school board policy. School nurses should take this opportunity to work with the local school board and school administration in creating said policy to effectuate RSA 200:44-b, and ensure that all requirements fall within the ambit of their nursing license. Furthermore, all actions and documentation related to the supply and use of epinephrine auto-injectors must comply with the relevant privacy laws, including the Health Insurance Portability and Accountability Act (HIPAA) and the Family Educational Rights and Privacy Act (FERPA).

HB 1088 can be accessed in its entirety [here](#).

For Questions related to this Technical Advisory, please contact:

Heather Clogston, Prevention Coordinator
Office of Social Emotional Wellness, NHED
Telephone: 603-724-9378
Email: Heather.M.Clogston@doe.nh.gov