

By: Lambert

H.B. No. 2413

A BILL TO BE ENTITLED

AN ACT

relating to the emergency administration of an epinephrine auto-injector by peace officers.

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

SECTION 1. Chapter 1701, Occupations Code, is amended by adding Subchapter O to read as follows:

SUBCHAPTER O. EMERGENCY ADMINISTRATION OF EPINEPHRINE

Sec. 1701.701. DEFINITION. In this subchapter, "epinephrine auto-injector" means a disposable medical drug delivery device that contains a premeasured single dose of epinephrine that is intended to be used to treat anaphylaxis.

Sec. 1701.702. ADMINISTRATION OF EPINEPHRINE. (a) A peace officer may possess and administer an epinephrine auto-injector in accordance with this subchapter.

(b) A peace officer may possess and administer epinephrine through an auto-injector device to a person in an emergency situation only if the peace officer has successfully completed training in the use of the device in a course approved by the commission. The commission, in consultation with the Department of State Health Services, shall approve a training course on the administration of epinephrine through an auto-injector device.

Sec. 1701.703. NOT PRACTICE OF HEALTH CARE. The administration by a peace officer of epinephrine through an auto-injector device to a person in accordance with the

1 requirements of this subchapter does not constitute the unlawful
2 practice of any health care profession.

3 Sec. 1701.704. NO CAUSE OF ACTION. Notwithstanding any
4 other law, this subchapter does not create a civil, criminal, or
5 administrative cause of action or liability or create a standard of
6 care, obligation, or duty that provides a basis for a cause of
7 action for an act or omission under this subchapter.

8 Sec. 1701.705. GOVERNMENTAL IMMUNITY NOT WAIVED. This
9 subchapter does not waive governmental immunity from suit or
10 liability.

11 SECTION 2. As soon as practicable after the effective date
12 of this Act, the Texas Commission on Law Enforcement shall approve a
13 training course consistent with Section 1701.702, Occupations
14 Code, as added by this Act.

15 SECTION 3. This Act takes effect September 1, 2019.