

BILL ANALYSIS

H.B. 3819
By: Klick
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding public school district policies for the administration of asthma medicine and injectors, which currently apply only to students with a diagnosis of asthma. It has been suggested that these policies are too restrictive in their guidance given that not all students have this registered diagnosis despite having the signs and symptoms of asthma requiring prescription medication. There have been calls to ensure that these policies allow for the administration of potentially lifesaving medicine in an emergency situation, rather than having to wait for EMS to administer it at great cost. H.B. 3819 seeks to address this issue by clarifying the conditions under which this medicine may be administered to a student.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3819 amends the Education Code to clarify that a school nurse may administer prescription asthma medicine to a student under a school's epinephrine auto-injector and asthma medicine policy if the school nurse has written notification from a parent or guardian of the student that the student has a medical history of asthma or a clinical presentation with signs and symptoms of asthma which may include respiratory distress, dyspnea, labored breathing, audible wheezing, tightness of chest, or a persistent cough.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.