

epinephrine helps only temporarily. [Epinephrine](#) also can be used to treat allergic reactions to latex, insect stings, medicines and other triggers. Available by prescription, injectors are marketed under several brand names.

Federal Action

Since 2006, the Food and Drug Administration (FDA) has [required](#) food ingredient labels to disclose the presence of some of the most common allergens. Congress also passed the [Food Safety Modernization Act](#) in 2011, which required the U.S. Department of Health and Human Services and the U.S. Department of Education to jointly develop a set of rules related to food allergies and epinephrine that could be voluntarily adopted by schools, early child education programs and other interested parties. The guidelines are available [online](#).

State Action

Most states allow students to self-administer epinephrine. At least 40 states authorize schools of varying types to keep or administer epinephrine to students, although schools also may be required to take certain actions. For example, Nevada requires schools to have at least two epinephrine auto-injectors on site. Nurses and other designated people (who must receive training from the school nurse) are allowed, but not required, to administer injections to students. Charter schools must have at least one designated person on staff, however. Public schools may accept donations or gifts of epinephrine injectors from manufacturers and wholesalers. States often limit school personnel liability in the absence of willful or wanton misconduct should an adverse reaction occur that is associated with epinephrine use.

In addition to laws that address the use of epinephrine to treat anaphylactic reactions in schools, some states have laws designed to either prevent student exposure to food allergens or to train personnel to ensure efficient response to an allergic reaction. Rhode Island, for example, requires schools where there are students with known food allergies to post conspicuous signs that a student with food allergies attends the school. Schools in Rhode Island also are authorized to prevent food allergens from being sold in schools where a student with food allergies is in attendance, and may even ban certain foods on school grounds.

Children also may be vulnerable to allergic reactions away from school. Laws in Connecticut, Illinois, Maine, Michigan, New Hampshire, New York and Ohio address epinephrine in camp settings.

So far in 2014, 17 laws related to epinephrine have been enacted in 16 states. Of these, 13 authorize storage, administration or self-administration of epinephrine to students and children in schools of varying levels and other settings. California adopted a law designating September as Food Allergy Awareness Month.

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[Agriculture and Rural Development Database](#)

[Food Safety Modernization Act](#)

Additional Resources

[Centers for Disease Control and Prevention \(CDC\)](#)

[The Mayo Clinic](#)

[Medline Plus—Anaphylaxis](#)

[Mylan](#)

[University of Nebraska—Lincoln](#)

[U.S. Food and Drug Administration](#)

This LegisBrief updates previous material written by Micah Jones.

The information contained in this LegisBrief does not necessarily reflect NCSL policy.