

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide limited government - The bill provides the State Board of Education, in cooperation with the Department of Health, with rule-making authority.

Safeguard individual liberty - The bill increases the options of students regarding self-administration of epinephrine.

Promote personal responsibility - The bill allows students to assume responsibility for administering epinephrine, and indemnifies school districts from any liability.

Empower families – The bill supports families’ efforts to help their students take responsibility for self-administration of medication when a life threatening allergic reaction has occurred.

B. EFFECT OF PROPOSED CHANGES:

Current law does not provide for K-12 students to self-administer epinephrine by auto-injectors in classrooms or while engaged in school activities. This bill would allow certain K-12 students to administer epinephrine with an auto-injector and indemnifies the school district of any and all liability with regard to that administration.

C. SECTION DIRECTORY:

Section 1: Amends s.1002.20 (3) (i), F.S., adding new language regarding the administration of epinephrine by auto-injector by certain K-12 students, requires the State Board of Education to adopt rules for such use, and provides for indemnification of school districts.

Section2: Sets an effective date of July 1, 2005.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues: This bill does not appear to have a fiscal impact on state government revenues.
2. Expenditures: This bill does not appear to have a fiscal impact on state government expenditures.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues: This bill does not appear to have a fiscal impact on local government revenues.
2. Expenditures: This bill does not appear to have a fiscal impact on local government expenditures.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

This bill does not appear to have a direct economic impact on the private sector.

D. FISCAL COMMENTS:

See above.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not require a city or county to spend funds or to take any action requiring the expenditure of funds.

2. Other:

B. RULE-MAKING AUTHORITY:

The Department of Education is provided rule-making authority to implement this act.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES

The PreK-12 Committee met on February 22, 2005, and adopted one amendment to the bill. The bill provides the State Board of Education with rule-making authority, and the amendment requires the rules to address the safety of all students.

The PreK-12 Committee reported the bill favorably as HB 279 with a committee substitute.

This analysis is written to the committee substitute as presented to the Health Care General Committee on March 8, 2005.