

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL 600
Health Care Committee Substitute Adopted 4/16/25
House Committee Substitute Favorable 6/10/25
PROPOSED HOUSE COMMITTEE SUBSTITUTE S600-PCS15338-BP-22

Short Title: Improve Health and Human Services.

(Public)

Sponsors:

Referred to:

March 26, 2025

1 A BILL TO BE ENTITLED
2 AN ACT TO IMPROVE HEALTH AND HUMAN SERVICES FOR THE STATE OF NORTH
3 CAROLINA.

4 The General Assembly of North Carolina enacts:

5
6 **PART I. DRIVERS LICENSE DESIGNATION FOR AUTISM**

7 **SECTION 1.(a)** G.S. 20-7 is amended by adding a new subsection to read:

8 "(q3) Autism Spectrum Disorder Designation. – The Division shall develop, in consultation
9 with the Department of Public Safety, the Division of Mental Health, Developmental Disabilities,
10 and Substance Use Services, and the State Highway Patrol, and pursuant to this subsection, a
11 drivers license designation that may, upon request, be granted to a person with autism spectrum
12 disorder, as defined in G.S. 58-3-192. The Division shall comply with the following requirements
13 applicable to the designation:

14 (1) At the request of a person with autism spectrum disorder, the Division shall
15 enter the designation into the electronic record associated with the person's
16 drivers license.

17 (2) For the purposes of this subsection, a person shall be considered to have
18 autism spectrum disorder if the person provides verification or documentation
19 substantiating a diagnosis of autism spectrum disorder that is recommended
20 by the Division of Mental Health, Developmental Disabilities, and Substance
21 Use Services as acceptable. The Division of Motor Vehicles shall consult with
22 the Division of Mental Health, Developmental Disabilities, and Substance
23 Use Services to identify acceptable forms of verification that do not result in
24 undue burden to the person requesting the designation of autism spectrum
25 disorder. Acceptable documentation shall include any of the following:

26 a. Documentation of certification or examination by a medical, health, or
27 mental health professional showing evidence of autism spectrum
28 disorder.

29 b. Documentation deemed by the Division of Motor Vehicles to qualify
30 as satisfactory proof of the person's autism spectrum disorder.

31 (3) Nothing in this subsection shall be construed as authorizing the issuance of a
32 drivers license to a person ineligible under G.S. 20-9.

33 (4) Nothing in this subsection shall be construed as prohibiting the issuance of a
34 drivers license to a person otherwise eligible under the law.



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- 1 (5) Any individual who chooses to register or not to register shall not be deemed
- 2 to have waived any protections under the law.
- 3 (6) Information collected under this subsection shall only be available to law
- 4 enforcement and only for the purpose of ensuring mutually safe interactions
- 5 between law enforcement and persons with autism spectrum disorder. It shall
- 6 not be accessed or used for any other purpose.
- 7 (7) The right to make the decision for inclusion or removal of the designation
- 8 from the database is entirely voluntary and shall only be made by the person
- 9 who holds the drivers license associated with the designation.
- 10 (8) The Division, in conjunction with the Department of Health and Human
- 11 Services, shall develop a process for removal of the designation authorized by
- 12 this subsection that is available online, by mail, or in person."

13 **SECTION 1.(b)** G.S. 17C-6 reads as rewritten:

14 "**§ 17C-6. Powers of Commission.**

15 (a) In addition to powers conferred upon the Commission elsewhere in this Article, the
16 Commission shall have the following powers, which shall be enforceable through its rules and
17 regulations, certification procedures, or the provisions of G.S. 17C-10:

18 ...

- 19 (17) Establish minimum educational and training standards for employment and
- 20 continuing education for criminal justice officers ~~concerning~~concerning both
- 21 of the following:
- 22 a. Recognizing and appropriately interacting with (i) persons who are
- 23 deaf or hard of ~~hearing~~hearing and (ii) persons with autism spectrum
- 24 disorder.
- 25 b. Drivers license and vehicle registration identifiers of (i) persons who
- 26 are deaf or hard of hearing, as authorized by G.S. 20-7(q2), or (ii)
- 27 persons with autism spectrum disorder, as authorized by
- 28 G.S. 20-7(q3), including that those identifiers are optional.

29 "

30 **SECTION 1.(c)** G.S. 17E-4 reads as rewritten:

31 "**§ 17E-4. Powers and duties of the Commission.**

32 (a) The Commission shall have the following powers, duties, and responsibilities, which
33 are enforceable through its rules and regulations, certification procedures, or the provisions of
34 G.S. 17E-8 and G.S. 17E-9:

35 ...

- 36 (13) Establish minimum educational and training standards for employment and
- 37 continuing education for officers ~~concerning~~concerning both of the
- 38 following:
- 39 a. Recognizing and appropriately interacting with (i) persons who are
- 40 deaf or hard of ~~hearing~~hearing and (ii) persons with autism spectrum
- 41 disorder.
- 42 b. Drivers license and vehicle registration identifiers of (i) persons who
- 43 are deaf or hard of hearing, as authorized by G.S. 20-7(q2), or (ii)
- 44 persons with autism spectrum disorder, as authorized by
- 45 G.S. 20-7(q3), including that those identifiers are optional.

46 "

47 **SECTION 1.(d)** This Part is effective when it becomes law and applies to autism
48 spectrum disorder designation requests made on or after January 1, 2026.

49
50 **PART II. ALLOW RESIDENT TAXPAYERS TO ENROLL IN THE ORGAN AND**
51 **TISSUE DONATION PROGRAM VIA THEIR INCOME TAX RETURN**

1 **SECTION 2.(a)** Article 4 of Chapter 105 of the General Statutes is amended by
2 adding a new section to read:

3 **"§ 105-153.8A. Organ and tissue donor election on income tax returns.**

4 (a) The income tax return form furnished by the Secretary under G.S. 105-153.8 shall
5 include a section titled Organ and Tissue Donation Election, that allows a resident taxpayer to
6 elect to become a donor in accordance with Part 3A of Chapter 130A of the General Statutes.
7 The organ and tissue donation section must:

8 (1) Provide the following options:

9 a. A fillable check box followed by the statement "Check here if resident
10 taxpayer authorizes an organ and tissue donation in the event of death.
11 Resident taxpayer's date of birth (mm-dd-yyyy) - - - -"

12 b. A fillable check box followed by the statement "Check here if spouse
13 authorizes an organ and tissue donation in the event of death. Spouse's
14 date of birth (mm-dd-yyyy) - - - -"

15 (2) Explain the resident taxpayer and spouse, if applicable, is authorizing an
16 anatomical gift of his or her organs, eyes, and tissue to take effect after the
17 donor's death.

18 (3) Explain the resident taxpayer is not required to record a response to the organ
19 and tissue donation election section to file an income tax return, pay taxes, or
20 receive a refund.

21 (4) Describe the process for amending or revoking the resident taxpayer's or
22 spouse's election to become an organ and tissue donor.

23 (b) The Secretary is authorized to request any information necessary from a resident
24 taxpayer or spouse within the organ and tissue donation election section of the income tax return
25 form to facilitate a resident taxpayer's or spouse's election as an organ and tissue donor in
26 accordance with Part 3A of Chapter 130A of the General Statutes."

27 **SECTION 2.(b)** G.S. 105-259(b) is amended by adding the following new
28 subdivisions to read:

29 "(56) To furnish the Department of Transportation, Division of Motor Vehicles,
30 with the information of an individual who has elected to become an organ and
31 tissue donor under G.S. 105-153.8A for purposes of making an anatomical
32 gift in accordance with Part 3A of Chapter 130A of the General Statutes.

33 (57) To furnish any organ procurement organization and any organization
34 responsible for maintaining a list of individuals who have authorized an
35 anatomical gift with the information of an individual who has elected to
36 become an organ and tissue donor under G.S. 105-153.8A for purposes of
37 making an anatomical gift in accordance with Part 3A of Chapter 130A of the
38 General Statutes."

39 **SECTION 2.(c)** G.S. 130A-412.7 reads as rewritten:

40 **"§ 130A-412.7. Manner of making anatomical gift before donor's death.**

41 (a) A donor may make an anatomical gift by any of the following methods:

42 (1) By authorizing that a statement or symbol be imprinted on the donor's drivers
43 license or identification card indicating that the donor has made an anatomical
44 gift. A donor who originally became a donor in another jurisdiction by this
45 method and applies for a drivers license or identification card in this State is
46 required to authorize that a statement or symbol be imprinted on the donor's
47 drivers license or identification card issued in this State in order for the
48 anatomical gift to be valid under this subdivision. Anatomical gifts made by
49 this method shall not include a donation of the donor's body.

- 1 (1a) By making an election on an income tax return in accordance with
 2 G.S. 105-153.8A. Anatomical gifts made by this method shall not include a
 3 donation of the donor's body.
 4 (2) In a will.
 5 (3) During a terminal illness or injury of the donor, by any form of
 6 communication addressed to at least two adults, at least one of whom is a
 7 disinterested witness.
 8 (4) As provided in subsection (b) of this section.

9 ...
 10 (c3) An election on an income tax return indicating that a donor has made an anatomical
 11 gift is valid upon the filing of the return and shall remain valid until the donor revokes such
 12 consent in the manner prescribed by G.S. 130A-412.8.

13 "

14 **SECTION 2.(d)** G.S. 20-43.2(c) reads as rewritten:

15 "(c) Personally identifiable information on a donor registry about a donor or prospective
 16 donor may not be used or disclosed without the express consent of the donor, prospective donor,
 17 or person that made the anatomical gift for any purpose other than to determine, at or near death
 18 of the donor or prospective donor, whether the donor or prospective donor has made, amended,
 19 or revoked an anatomical ~~gift~~-gift, or to determine the statistical and demographic makeup of
 20 individuals who have and have not authorized an anatomical gift so organ procurement
 21 organizations may advocate for donation."

22 **SECTION 2.(e)** The Department of Revenue and the Department of Transportation,
 23 Division of Motor Vehicles, shall coordinate to continuously update the Organ Donor Registry
 24 under G.S. 20-43.2 and shall coordinate for any other purposes consistent with and necessary to
 25 the fulfillment of the objectives of this Part.

26 **SECTION 2.1.(a)** By January 1, 2027, the Department of Revenue must adopt rules
 27 necessary to implement and administer the provisions of this Part.

28 **SECTION 2.1.(b)** This section is effective when it becomes law.

29 **SECTION 2.2.** Except as otherwise provided, this Part is effective on January 1,
 30 2027, and for tax returns for taxable years beginning on or after January 1, 2027.

31
 32 **PART III. PROHIBIT THE MANUFACTURING, SELLING, AND DISTRIBUTING OF**
 33 **INTRAVENOUS SOLUTION CONTAINERS AND INTRAVENOUS TUBING**
 34 **INTENTIONALLY MADE WITH DEHP**

35 **SECTION 3.(a)** Chapter 130A of the General Statutes is amended by adding a new
 36 Article to read as follows:

37 "Article 19C.

38 "DEHP Hazard Management.

39 "§ 130A-453.33. Legislative finding.

40 The General Assembly finds all of the following:

- 41 (1) DEHP and other ortho-phthalates are toxic chemicals used primarily to
 42 produce flexibility in plastics, mainly polyvinyl chloride (PVC).
 43 (2) DEHP is the most common plasticizer used in medical devices, including
 44 intravenous solution containers, which are also known as IV bags, and
 45 intravenous tubing.
 46 (3) Over the course of its shelf life, DEHP leaches from IV bags and tubing made
 47 from DEHP into the solutions being held in the medical devices.
 48 (4) DEHP is classified by the United States Environmental Protection Agency as
 49 an endocrine-disrupting compound since it can:
 50 a. Interfere with the hormonal system in humans and animals.

- 1 b. Mimic or block the actions of hormones, leading to adverse effects on
2 reproductive health, development, and metabolism.
- 3 (5) DEHP exposure has been associated with adverse effects on reproductive
4 organs and fertility. DEHP can also disrupt normal reproductive development,
5 reduce sperm quality, and affect hormone levels in both males and females.
- 6 (6) DEHP is metabolized in the liver and can accumulate in the body over time.
7 Prolonged exposure to high levels of DEHP has been shown to cause liver and
8 kidney damage in animal studies.
- 9 (7) Inhalation or ingestion of DEHP can cause respiratory irritation and allergic
10 reactions in some individuals, particularly those with preexisting respiratory
11 conditions or sensitivities.
- 12 (8) Studies have suggested a potential link between DEHP exposure and certain
13 types of cancer, including breast, liver, lung, and testicular cancer.
- 14 (9) The United States Environmental Protection Agency has determined that
15 DEHP is a probable human carcinogen.
- 16 (10) The leaching of DEHP from medical devices at varying concentrations has
17 been linked to multidrug resistance in breast cancer cells, inhibiting the
18 effectiveness of breast cancer drugs. This phenomenon has been observed at
19 both high and low concentrations of DEHP, highlighting the potential impact
20 of DEHP leaching on cancer treatment outcomes.
- 21 (11) Exposure to DEHP has been linked to multidrug resistance in triple-negative
22 breast cancer cells, inhibiting the apoptosis mechanism induced by breast
23 cancer drugs, such as tamoxifen, and increasing cell proliferation.
- 24 (12) DEHP has been suggested to serve as a mitogenic factor for estrogen
25 receptor-positive breast cancer cells, potentially making them multidrug
26 resistant.

27 **"§ 130A-453.34. Definitions.**

28 The following definitions apply in this Article:

- 29 (1) DEHP. – Di(2-ethylhexyl) phthalate.
- 30 (2) Health care practitioner. – An individual who is authorized to practice some
31 component of the healing arts by a license, permit, certificate, or registration
32 issued by a State licensing agency or board.
- 33 (3) Intentionally added DEHP. – DEHP that a manufacturer has intentionally
34 added to a product and that has a functional or technical effect on the product.
- 35 (4) Intravenous solution container. – A container used to house medicine, fluid,
36 or nutrition therapy that is intravenously delivered to a patient in a hospital,
37 outpatient facility, or other health care facility.
- 38 (5) Intravenous tubing. – Tubing used to intravenously administer fluids,
39 medication, or nutrients directly to an adult, child, or infant.
- 40 (6) Ortho-phthalate. – A class of chemicals that are esters of ortho-phthalic acid,
41 including DEHP or any of the following:
- 42 a. Benzyl butyl phthalate (BBP).
- 43 b. Dibutyl phthalate (DBP).
- 44 c. Dicyclohexyl phthalate (DCHP).
- 45 d. Diethyl phthalate (DEP).
- 46 e. Diisobutyl phthalate (DIBP).
- 47 f. Diisodecyl phthalate (DIDP).
- 48 g. Diisononyl phthalate (DINP).
- 49 h. Di-n-hexyl phthalate (DnHP).
- 50 i. Di-n-octyl phthalate (DNOP).
- 51 j. Di-n-pentyl phthalate (DnPP).

1 k. Diisoheptyl phthalate (DIHP).

2 (7) Unintentionally added DEHP. – DEHP in an intravenous solution container
3 or intravenous tubing product that is not used for functional or technical effect
4 on the product.

5 **"§ 130A-453.35. Prohibitions.**

6 (a) Intravenous Solution Containers. – Beginning January 1, 2030, a person or entity shall
7 not manufacture, sell, or distribute into commerce in the State of North Carolina intravenous
8 solution containers made with intentionally added DEHP.

9 (b) Intravenous Tubing. – Beginning January 1, 2035, a person or entity shall not
10 manufacture, sell, or distribute into commerce in the State of North Carolina intravenous tubing
11 made with intentionally added DEHP.

12 (c) Replacement. – A person may not replace DEHP, pursuant to this Article, with
13 another ortho-phthalate in a new or revised medical device.

14 (d) Maximum Quantity. – An intravenous solution container or intravenous tubing
15 product shall not have unintentionally added DEHP present at a quantity at or above 0.1 percent
16 weight per weight (w/w).

17 (e) Exemptions. – The following items, as described in Title 21 of the Code of Federal
18 Regulations, are exempt from these provisions:

19 (1) Human blood collection and storage bags.

20 (2) Apheresis and cell therapy blood kits and bags, including integral tubing.

21 (f) Delayed Compliance. – A person or entity, due to pending United States Food and
22 Drug Administration approval for the DEHP-free intravenous solution container or due to the
23 manufacturer not having adequate equipment to manufacture the DEHP-free intravenous solution
24 container, shall meet the requirement in subsection (a) of this section by January 1, 2032, if all
25 of the following conditions are met:

26 (1) The person or entity notified its North Carolina customers, no later than
27 October 1, 2025, that it has commenced development of the DEHP-free
28 intravenous solution container to meet the requirements of this section.

29 (2) The person or entity provides notice to its customers and posts to its official
30 internet website, no later than January 1, 2028, that it will not meet the
31 deadline imposed pursuant to subsection (a) of this section."

32 **SECTION 3.(b)** G.S. 130A-22(b3) reads as rewritten:

33 "(b3) The Secretary may impose an administrative penalty on a person who violates ~~Article~~
34 ~~19A or 19B~~ Article 19A, 19B, or 19C of this Chapter or any rules adopted pursuant to ~~Article~~
35 ~~19A or 19B~~ Article 19A, 19B, or 19C of this Chapter. Each day of a continuing violation is a
36 separate violation. The penalty shall not exceed five thousand dollars (\$5,000) for each day the
37 violation continues for Article 19A of this Chapter. The penalty shall not exceed five thousand
38 dollars (\$5,000) for each day the violation continues for Article 19B of this Chapter. The penalty
39 shall not exceed five thousand dollars (\$5,000) for each day the violation continues for Article
40 19C of this Chapter. The penalty authorized by this section does not apply to a person who is not
41 required to be certified under Article 19A or 19B."

42 **SECTION 3.(c)** Except as otherwise provided, this Part is effective when it becomes
43 law.

44
45 **PART IV. ALLOW THE USE OF EPINEPHRINE NASAL SPRAY IN ADDITION TO**
46 **AUTO-INJECTORS**

47 **SECTION 4.(a)** G.S. 115C-375.2(a) reads as rewritten:

48 "(a) Local boards of education shall adopt a policy authorizing a student with asthma or a
49 student subject to anaphylactic reactions, or both, to possess and self-administer asthma
50 medication on school property during the school day, at school-sponsored activities, or while in
51 transit to or from school or school-sponsored events. As used in this section, "asthma medication"

1 means a medicine prescribed for the treatment of asthma or anaphylactic reactions and includes
 2 a prescribed asthma inhaler or epinephrine ~~auto-injector-delivery system~~. The policy shall
 3 include a requirement that the student's parent or guardian provide to the school:

4"

5 **SECTION 4.(b)** G.S. 115C-375.2A reads as rewritten:

6 "**§ 115C-375.2A. School supply of epinephrine ~~auto-injectors-delivery systems~~.**

7 (a) A local board of education shall provide for a supply of emergency epinephrine
 8 ~~auto-injectors-delivery systems~~ on school property for use by trained school personnel to provide
 9 emergency medical aid to persons suffering from an anaphylactic reaction during the school day
 10 and at school-sponsored events on school property. Each school shall store in a secure but
 11 unlocked and easily accessible location a minimum of two epinephrine ~~auto-injectors-delivery~~
 12 ~~systems~~. For purposes of this section, "school property" does not include transportation to or
 13 from school.

14 (b) For the purposes of this section and G.S. 115C-375.2, "epinephrine ~~auto-injector-~~
 15 ~~delivery system~~" means a disposable drug delivery system ~~with a spring activated, concealed~~
 16 ~~needle~~ that is designed for emergency administration of epinephrine to provide rapid, convenient
 17 first aid for persons suffering a potentially fatal reaction to ~~anaphylaxis-anaphylaxis, including~~
 18 ~~nasal sprays and injectors that are approved by the United States Food and Drug Administration~~
 19 ~~with a premeasured, appropriate weight-based dose of epinephrine.~~

20 (c) The principal shall designate one or more school personnel, as part of the medical
 21 care program under G.S. 115C-375.1, to receive initial training and annual retraining from a
 22 school nurse or qualified representative of the local health department regarding the storage and
 23 emergency use of ~~an epinephrine auto-injector-delivery systems~~. Notwithstanding any other
 24 provision of law to the contrary, the school nurse or other designated school personnel who has
 25 received training under this subsection shall obtain a non-patient specific prescription for ~~an~~
 26 ~~epinephrine auto-injectors-delivery system~~ from a physician, physician assistant, or nurse
 27 practitioner of the local health department serving the area in which the local school
 28 administrative unit is located.

29 (d) The principal shall collaborate with appropriate school personnel to develop an
 30 emergency action plan for the use of epinephrine ~~auto-injectors-delivery systems~~ in an
 31 emergency. The plan shall include at least the following components:

- 32 (1) Standards and procedures for the storage and emergency use of epinephrine
 33 ~~auto-injectors-delivery systems~~ by trained school personnel.
- 34 (2) Training of school personnel in recognizing symptoms of anaphylaxis.
- 35 (3) Emergency follow-up procedures, including calling emergency services and
 36 contacting a student's ~~parent and parent, guardian, and~~ physician.
- 37 (4) Instruction and certification in cardiopulmonary resuscitation.

38 (e) A supply of emergency epinephrine ~~auto-injectors-delivery systems~~ provided in
 39 accordance with this section shall not be used as the sole medication supply for students known
 40 to have a medical condition requiring the availability or use of an epinephrine ~~auto-injector-~~
 41 ~~delivery system~~. Those students may be authorized to possess and self-administer their
 42 medication on school property under G.S. 115C-375.2.

43"

44 **SECTION 4.(c)** G.S. 115C-218.75(a) reads as rewritten:

45 "**§ 115C-218.75. General operating requirements.**

46 (a) Health and Safety Standards. – A charter school shall meet the same health and safety
 47 requirements required of a local school administrative ~~unit-unit, including the following:~~

- 48 (1) The Department of Public Instruction shall ensure that charter schools provide
 49 parents and guardians with information about meningococcal meningitis and
 50 influenza and their vaccines at the beginning of every school year. This
 51 information shall include the causes, symptoms, and how meningococcal

1 meningitis and influenza are spread and the places where parents and
2 guardians may obtain additional information and vaccinations for their
3 children.

4 (2) The Department of Public Instruction shall also ensure that charter schools
5 provide parents and guardians with information about cervical cancer, cervical
6 dysplasia, human papillomavirus, and the vaccines available to prevent these
7 diseases. This information shall be provided at the beginning of the school
8 year to parents of children entering grades five through 12. This information
9 shall include the causes and symptoms of these diseases, how they are
10 transmitted, how they may be prevented by vaccination, including the benefits
11 and possible side effects of vaccination, and the places where parents and
12 guardians may obtain additional information and vaccinations for their
13 children.

14 (3) The Department of Public Instruction shall also ensure that charter schools
15 provide students in grades seven through 12 with information annually on the
16 preventable risks for preterm birth in subsequent pregnancies, including
17 induced abortion, smoking, alcohol consumption, the use of illicit drugs, and
18 inadequate prenatal care.

19 (4) The Department of Public Instruction shall also ensure that charter schools
20 provide students in grades nine through 12 with information annually on the
21 manner in which a parent may lawfully abandon a newborn baby with a
22 responsible person, in accordance with Article 5A of Chapter 7B of the
23 General Statutes.

24 (5) The Department of Public Instruction shall also ensure that the guidelines for
25 individual diabetes care plans adopted by the State Board of Education under
26 G.S. 115C-12(31) are implemented in charter schools in which students with
27 diabetes are enrolled and that charter schools otherwise comply with
28 G.S. 115C-375.3.

29 (6) The Department of Public Instruction shall ensure that charter schools comply
30 with G.S. 115C-375.2A. The board of directors of a charter school shall
31 provide the school with a supply of emergency epinephrine ~~auto injectors~~
32 delivery systems necessary to meet the requirements of G.S. 115C-375.2A."

33 **SECTION 4.(d)** G.S. 115C-238.66(7) reads as rewritten:

34 "(7) Health and safety. – The board of directors shall require that the regional
35 school meet the same health and safety standards required of a local school
36 administrative unit.

37 The Department of Public Instruction shall ensure that regional schools
38 comply with G.S. 115C-375.2A. The board of directors of a regional school
39 shall provide the school with a supply of emergency epinephrine
40 ~~auto injectors~~ delivery systems necessary to carry out the provisions of
41 G.S. 115C-375.2A."

42 **SECTION 4.(e)** G.S. 116-239.8(b)(9) reads as rewritten:

43 "(9) Health and safety. – The chancellor shall require that the laboratory school
44 meet the same health and safety standards required of a local school
45 administrative unit. The Department of Public Instruction shall ensure that
46 laboratory schools comply with G.S. 115C-375.2A. The chancellor shall
47 provide the laboratory school with a supply of emergency epinephrine
48 ~~auto injectors~~ delivery systems necessary to carry out the provisions of
49 G.S. 115C-375.2A."

50 **SECTION 4.(f)** This section is effective when it becomes law and applies beginning
51 with the 2025-2026 school year.

1 **SECTION 4.1.** G.S. 90-21.15A reads as rewritten:

2 "**§ 90-21.15A. Emergency treatment using epinephrine ~~auto-injector~~; delivery systems;**
3 **immunity.**

4 (a) Definitions. – The following definitions apply in this section:

5 (1) Administer. – The direct application of an epinephrine ~~auto-injector~~ delivery
6 system to the body of an individual.

7 (2) Authorized entity. – Any entity or organization, other than a school described
8 in G.S. 115C-375.2A, at which allergens capable of causing anaphylaxis may
9 be present, including, but not limited to, recreation camps, colleges,
10 universities, day care facilities, youth sports leagues, amusement parks,
11 restaurants, places of employment, and sports arenas. An authorized entity
12 shall also include any person, corporation, or other entity that owns or operates
13 any entity or organization listed.

14 (3) Epinephrine ~~auto-injector~~ delivery system. – A ~~single-use device used for the~~
15 ~~automatic injection of a premeasured dose of disposable drug delivery system~~
16 that is designed for emergency administration of epinephrine into the human
17 body to provide rapid, convenient first aid for persons suffering a potentially
18 fatal reaction to anaphylaxis, including nasal sprays and injectors that are
19 approved by the United States Food and Drug Administration with a
20 premeasured, appropriate weight-based dose of epinephrine.

21 (4) Health care provider. – A health care provider licensed to prescribe drugs
22 under the laws of this State.

23 (5) Provide. – To supply one or more epinephrine ~~auto-injectors~~ delivery systems
24 to an individual.

25 (b) Prescribing to Authorized Entities Permitted. – A health care provider may prescribe
26 epinephrine ~~auto-injectors~~ delivery systems in the name of an authorized entity for use in
27 accordance with this section, and pharmacists and health care providers may dispense
28 epinephrine ~~auto-injectors~~ delivery systems pursuant to a prescription issued in the name of an
29 authorized entity. A prescription issued pursuant to this section shall be valid for no more than
30 two years.

31 (c) Authorized Entities Permitted to Maintain Supply. – An authorized entity may acquire
32 and stock a supply of epinephrine ~~auto-injectors~~ delivery systems pursuant to a prescription
33 issued in accordance with this section. An authorized entity that acquires and stocks epinephrine
34 ~~auto-injectors~~ delivery systems shall make a good-faith effort to store the supply of epinephrine
35 ~~auto-injectors~~ delivery systems in accordance with the epinephrine ~~auto-injector~~ delivery system
36 manufacturer's instructions for use and any additional requirements that may be established by
37 the Department of Health and Human Services. An authorized entity that acquires and stocks a
38 supply of epinephrine ~~auto-injectors~~ delivery systems pursuant to a prescription issued in
39 accordance with this section shall designate employees or agents to be responsible for the storage,
40 maintenance, control, and general oversight of epinephrine ~~auto-injectors~~ delivery systems
41 acquired by the authorized entity.

42 (d) Use of Epinephrine ~~Auto-Injectors~~ Delivery Systems by Authorized Entities. – An
43 employee or agent of an authorized entity or other individual who has completed the training
44 required by subsection (e) of this section may use epinephrine ~~auto-injectors~~ prescribed pursuant
45 to G.S. 90-726.1 delivery systems to do any of the following:

46 (1) Provide an epinephrine ~~auto-injector~~ delivery system to any individual who
47 the employee, agent, or other individual believes in good faith is experiencing
48 anaphylaxis, or a person believed in good faith to be the parent, guardian, or
49 caregiver of such individual, for immediate administration, regardless of
50 whether the individual has a prescription for an epinephrine ~~auto-injector~~
51 delivery system or has previously been diagnosed with an allergy.

- 1 (2) Administer an epinephrine ~~auto-injector~~-delivery system to any individual
2 who the employee, agent, or other individual believes in good faith is
3 experiencing anaphylaxis, regardless of whether the individual has a
4 prescription for an epinephrine ~~auto-injector~~-delivery system or has previously
5 been diagnosed with an allergy.

6 (e) Mandatory Training Program. – An authorized entity that elects to acquire and stock
7 a supply of epinephrine ~~auto-injectors~~-delivery systems as described in subsection (c) of this
8 section shall designate employees or agents to complete an anaphylaxis training program. The
9 training may be conducted online or in person and shall, at a minimum, include all of the
10 following components:

- 11 (1) How to recognize signs and symptoms of severe allergic reactions, including
12 anaphylaxis.
13 (2) Standards and procedures for the storage and administration of an epinephrine
14 ~~auto-injector~~-delivery system.
15 (3) Emergency follow-up procedures.

16 In-person training shall cover the three components listed in this subsection and be conducted
17 by (i) a physician, physician assistant, or registered nurse licensed to practice in this State; (ii) a
18 nationally recognized organization experienced in training laypersons in emergency health
19 treatment; or (iii) an entity or individual approved by the Department of Health and Human
20 Services.

21 Online training shall cover the three components listed in this subsection and be offered (i)
22 by a nationally recognized organization experienced in training laypersons in emergency health
23 treatment; (ii) by an entity or individual approved by the Department of Health and Human
24 Services; or (iii) by means of an online training course that has been approved by another state.

25 (f) Immunity. –

- 26 (1) The following persons are immune from criminal liability and from suit in any
27 civil action brought by any person for injuries or related damages that result
28 from any act or omission taken pursuant to this section:
29 a. Any authorized entity that voluntarily and without expectation of
30 payment possesses and makes available epinephrine
31 ~~auto-injectors~~-delivery systems.
32 b. Any employee or agent of an authorized entity, or any other individual,
33 who provides or administers an epinephrine ~~auto-injector~~-delivery
34 system to an individual whom the employee, agent, or other individual
35 believes in good faith is experiencing symptoms of anaphylaxis and
36 has completed the required training set forth in subsection (e) of this
37 section.
38 c. A health care provider that prescribes epinephrine ~~auto-injectors~~
39 delivery systems to an authorized entity.
40 d. A pharmacist or health care provider that dispenses epinephrine
41 ~~auto-injectors~~-delivery systems to an authorized entity.
42 e. Any individual or entity that conducts the training mandated by
43 subsection (e) of this section.
44 (2) The immunity conferred by this section does not apply to acts or omissions
45 constituting willful or wanton conduct as defined in G.S. 1D-5(7) or
46 intentional wrongdoing.
47 (3) Nothing in this section creates or imposes any duty, obligation, or basis for
48 liability on any authorized entity, any employee or agent of an authorized
49 entity, or any other individual to acquire, possess, store, make available, or
50 administer an epinephrine ~~auto-injector~~-delivery system.

1 (4) This section does not eliminate, limit, or reduce any other immunity or defense
2 that may be available under State law, including the protections set forth in
3 G.S. 90-21.14.

4 (g) Liability for Acts Outside of This State. – An authorized entity located in this State
5 shall not be liable under the laws of this State for any injuries or related damages resulting from
6 the provision or administration of an epinephrine ~~auto-injector~~ delivery system outside of this
7 State under either of the following circumstances:

8 (1) If the authorized entity would not have been liable for such injuries or related
9 damages if the epinephrine ~~auto-injector~~ delivery system had been provided
10 or administered within this State.

11 (2) If the authorized entity is not liable for such injuries or related damages under
12 the laws of the state in which the epinephrine ~~auto-injector~~ delivery system
13 was provided or administered.

14 (h) Does Not Constitute Practice of Medicine. – The administration of an epinephrine
15 ~~auto-injector~~ delivery system in accordance with this section is not the practice of medicine or
16 any other profession that otherwise requires licensure."

17 **SECTION 4.2.** Except as otherwise provided, this Part is effective when it becomes
18 law.

19 **PART V. REGISTERED NURSES IN SCHOOLS**

20 **SECTION 5.(a)** G.S. 115C-315(d2) reads as rewritten:

21 "(d2) School Nurses. – The State Board of Education, in accordance with subsection (d) of
22 this section, ~~may~~ shall adopt rules to establish the qualifications and training required to be hired
23 or contracted for as a ~~certified~~ school nurse ~~except the~~ subject to the following:

24 (1) The Board ~~may~~ shall not require or impose a requirement that would require
25 a ~~school~~ nurse to obtain a four-year ~~degree as a condition of~~
26 employment.degree.

27 (2) The Board shall require that a school nurse who meets all of the following
28 criteria be paid under the certified school nurse pay scale as established by the
29 Board:

30 a. Is a registered nurse licensed under Article 9A of Chapter 90 of the
31 General Statutes.

32 b. Has at least two years of experience serving in a hospital or health
33 clinic."

34 **SECTION 5.(b)** The State Board of Education has authority to adopt temporary rules
35 to enact the provisions of this Part until such a time as permanent rules can be adopted.

36 **SECTION 5.(c)** The Department of Public Instruction shall conform any salary
37 manuals with the provisions of this Part.

38 **SECTION 5.(d)** This Part is effective when it becomes law and applies to school
39 nurses hired or contracted for as a school nurse on or after that date.

40 **PART VI. EFFECTIVE DATE**

41 **SECTION 6.** Except as otherwise provided, this act is effective when it becomes
42 law.