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FISCAL IMPACT REPORT

ORIGINAL DATE 1/22/14

SPONSOR Herrell LAST UPDATED _____ HB 53

SHORT TITLE Students Carrying Emergency Medication SB _____

ANALYST Armstrong

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY15	FY16		
NFI			

(Parenthesis () Indicate Expenditure Decreases)

Relates to HB 49, HB 52, SB 75

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Health (DOH)

Public Education Department (PED)

SUMMARY

Synopsis of Bill

House Bill 53 creates a new section in the Public School Code and removes similar language from the section titled “School Discipline Policies; Students May Self-Administer Certain Medications.” The bill allows students, with parental permission and in compliance with school procedures, to carry and self-administer emergency medication for the treatment of asthma, respiratory distress, or anaphylaxis, and creates a new section to allow the same practices. HB 53 requires that a treatment plan written or approved by the student’s health care provider be filed with and maintained by the school to help manage the student’s asthma, respiratory distress, or anaphylaxis. Backup emergency medication provided by the parent, guardian or legal custodian of the student shall be stored pursuant to the Board of Pharmacy regulations at the student’s school.

FISCAL IMPLICATIONS

No fiscal impact.

SIGNIFICANT ISSUES

New Mexico students have been allowed to carry and self administer asthma and anaphylaxis medications since 2005. NMAC 6.12.2.9. HB 53 adds respiratory distress as a medical condition covered by this rule.

The School Health Manual, maintained by the DOH Office of School and Adolescent Health, provides protocols and guidance for self-administration of emergency medications by students in schools.

DUPLICATION, RELATIONSHIP

HB 49 requires local school boards or governing bodies of charter schools to store and provide emergency medications for students apparently suffering from respiratory distress and anaphylaxis. HB 52 is very similar except it leaves the decision of whether to provide such medications to the local authority. SB 75 duplicates HB 52.

JA/jl