



Epinephrine Auto-Injectors Administered by Community Colleges¹

An epinephrine auto-injector is a medical device that injects epinephrine (adrenaline) to treat anaphylaxis. A person may experience anaphylaxis due to a sudden and severe allergic reaction that can occur within minutes of exposure to an allergen. Prompt administration of an epinephrine auto-injector (e.g., an EpiPen) can save the life of a person experiencing anaphylaxis. Community colleges may adopt an epinephrine policy authorizing trained personnel and volunteers to administer an unassigned epinephrine auto-injector to a person who is reasonably believed to be experiencing anaphylaxis.

1. Is a community college authorized to administer epinephrine auto-injectors?

Yes. If a community college opts to administer epinephrine auto-injectors, the college must adopt and implement a written policy addressing auto-injector maintenance, administration, and disposal at each college campus. Tex. Educ. Code § 51.882(a); 25 Tex. Admin. Code § 40.2.

2. What must be addressed in a community college's epinephrine auto-injector policy?

If adopted, the policy must require each campus to have available personnel or volunteers authorized and trained to administer the epinephrine auto-injectors and include the personnel. The policy must provide that those individuals may administer the medication to a person reasonably believed to be experiencing anaphylaxis on campus. Tex. Educ. Code § 51.882(a)-(b); 25 Tex. Admin. Code §§ 40.2, .5(c).

The policy may also provide for the administration off-campus or while in transit to or from a college sponsored off-campus event. In deciding whether to extend the policy to off-campus events, the community college should consider the expense of the epinephrine auto-injectors and the availability of authorized staff and volunteers Tex. Educ. Code § 51.882(b)(2); 25 Tex. Admin. Code § 40.2.

The policy must specify the location of the epinephrine auto-injectors. It must also address the notification of emergency medical services after the administration of the medication and include a plan to replace used epinephrine auto-injectors and those soon to expire. The policy must designate a campus department responsible for the policy's implementation as described in law. Tex. Educ. Code § 51.882(c); 25 Tex. Admin. Code §§ 40.2, .5(c).

¹ An electronic version of this document is available on [TASB College eLaw](https://tasb.org/services/community-college-services/resources/tasb-college-elaw/documents/cc-epinephrine-auto-injectors-administered-by-community-colleges.pdf) at tasb.org/services/community-college-services/resources/tasb-college-elaw/documents/cc-epinephrine-auto-injectors-administered-by-community-colleges.pdf.

3. How must a community college publicize the epinephrine auto-injector policy?

The community college must make the policy and the locations of the epinephrine auto-injectors available to the public. The policy must be published in the community college's student handbook or a similar publication. It must also be posted on the college's website. Tex. Educ. Code § 51.882(d)(2); 25 Tex. Admin. Code § 40.5(d).

4. Must a community college submit the epinephrine auto-injector policy to DSHS?

A community college that adopts an epinephrine auto-injector policy must submit a copy of the policy and any subsequent amendments to the Texas Department of State Health Services (DSHS). DSHS will make the most current version of the policy available to the public on request. Tex. Educ. Code 51.882(f); 25 Tex. Admin. Code § 40.5(e)

5. Must a community college train authorized employees and volunteers?

Yes. If a community college adopts an epinephrine auto-injector policy, the college must annually train employees and volunteers authorized to administer the medication. The training may be provided through a formal training session or online. Tex. Educ. Code § 51.884(a)-(b); 25 Tex. Admin. Code § 40.6(a)-(b).

The training must address how to recognize signs and symptoms of anaphylaxis. Tex. Educ. Code § 51.884(b)(1)(A); 25 Tex. Admin. Code § 40.6(a). Though not all anaphylaxis reactions require epinephrine, and mild symptoms can be treated with antihistamines, some people may not be aware they have a life-threatening allergy. Therefore, it is imperative that a community college employee or volunteer be able to recognize when a person is experiencing life-threatening anaphylaxis. Signs and symptoms include skin reactions, including rashes or hives; low blood pressure; constriction of the airways and a swollen tongue or throat, which may lead to breathing difficulty; a weak or rapid pulse; nausea, vomiting, or diarrhea; and dizziness or fainting. See Mayo Clinic, [Anaphylaxis](#).

The training must address how to administer an epinephrine auto-injector. The training must also address any necessary emergency procedures to follow after the administration of the medication and the disposal of used or expired epinephrine auto-injectors. The training must be consistent with the most recent version of the Centers for Disease Control and Prevention's (CDC) [Voluntary Guidelines for Managing Food Allergies in Schools and Early Care and Education Programs](#). Tex. Educ. Code § 51.884(b)(1)(B)-(C); 25 Tex. Admin. Code § 40.6(b).

The community college must maintain records of the training and make the list of authorized and trained employees and volunteers available upon request. Tex. Educ. Code § 51.884(c); 25 Tex. Admin. Code § 40.6(c).

6. How must a community college acquire epinephrine auto-injectors?

Each year, a community college must obtain a prescription from an authorized healthcare provider to acquire for each campus at least one adult auto-injector pack consisting of two doses of epinephrine. The college may obtain additional packs as determined by an individual campus assessment. The assessment must be led by an authorized health-care provider. When performing the assessment, the college may consult the campus police, a department associated with student well-being, or the offices of health services, risk management, food services, or housing. The college may also consider campus geography and student population size. Tex. Educ. Code § 51.885(a)-(b); 25 Tex. Admin. Code § 40.5(a)-(b).

7. How must a community college follow store epinephrine auto-injectors?

Epinephrine auto-injectors must be stored in compliance with the manufacturer's guidelines in a secure location that is easily accessible to the employees and volunteers authorized to administer the medication. Tex. Educ. Code § 51.882(e); 25 Tex. Admin. Code § 40.5(d).

8. Must a community college report the administration of epinephrine?

A community college is required to report the administration of an epinephrine auto-injector within 10 business days to DSHS through an [online form](#) and to the prescribing physician. The report must contain the information required by Texas Education Code section 51.833(b), including information about the person who administered the medication, the person who received it, and the administration itself. Tex. Educ. Code § 51.883; 25 Tex. Admin. Code § 40.7(b)-(c).

9. May an individual be subject to liability or discipline for the administration of an epinephrine auto-injector?

In addition to protections under other law, an individual may not be held civilly or criminally liable or be disciplined if the person, in good faith, acts or fails to act under the epinephrine auto-injector statutes and regulations. These protections would therefore extend to the good faith administration of epinephrine under a community college's policy. Tex. Educ. Code § 51.888; 25 Tex. Admin. Code § 40.8.

10. How may a community college fund the acquisition of the epinephrine auto-injectors and any other costs necessary to implement the policy?

In addition to local funds, the community college may accept grants, gifts, donations, and federal funds to implement the policy. Tex. Educ. Code § 51.886.

11. What TASB policies apply to epinephrine auto-injectors?

See TASB Policy CGE(LEGAL) and (LOCAL).

12. Where can I get more information on epinephrine auto-injector policies?

If you have questions about these or other legal issues, community college representatives may contact TASB Community College Services at 800.580.1488 or colleges@tasb.org.

For more information on community college law topics,
visit TASB College eLaw online at colleges.tasb.org/elaw.

This document is provided for educational purposes and contains information to facilitate a general understanding of the law. References to judicial or other official proceedings are intended to be a fair and impartial account of public records, which may contain allegations that are not true. This publication is not an exhaustive treatment of the law, nor is it intended to substitute for the advice of an attorney. Consult your own attorney to apply these legal principles to specific fact situations.

Published November 2020