

SECOND REGULAR SESSION  
[P E R F E C T E D]  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 617**  
**100TH GENERAL ASSEMBLY**

---

Reported from the Committee on Health and Pensions, February 13, 2020, with recommendation that the Senate Committee Substitute do pass.

Senate Committee Substitute for Senate Bill No. 617, adopted February 24, 2020.

Taken up for Perfection February 24, 2020. Bill declared Perfected and Ordered Printed.

ADRIANE D. CROUSE, Secretary.

3762S.03P

---

**AN ACT**

To amend chapter 321, RSMo, by adding thereto one new section relating to devices for fire protection districts, with penalty provisions.

---

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 321, RSMo, is amended by adding thereto one new  
2 section, to be known as section 321.621, to read as follows:

**321.621. 1. For the purposes of this section, "qualified first  
2 responder" shall mean any state and local law enforcement agency staff,  
3 fire department personnel, fire district personnel, or licensed  
4 emergency medical technician who is acting under the directives and  
5 established protocols of a medical director of a local licensed ground  
6 ambulance service licensed under section 190.109 who comes in contact  
7 with a person suffering from an anaphylactic reaction and who has  
8 received training in recognizing and responding to anaphylactic  
9 reactions and the administration of epinephrine auto-injector devices  
10 to a person suffering from an apparent anaphylactic  
11 reaction. "Qualified first responder agencies" shall mean any state or  
12 local law enforcement agency, fire department, or ambulance service  
13 that provides documented training to its staff related to the  
14 administration of epinephrine auto-injector devices in an apparent  
15 anaphylactic reaction.**

**16 2. The department of health and senior services shall issue  
17 epinephrine auto-injector devices for adult patients to fire protection  
18 districts in nonmetropolitan areas in Missouri as such areas are**

19 determined according to the United States Census Bureau's American  
20 Community Survey, based on the most recent of five-year period  
21 estimate data in which the final year of the estimate ends in either zero  
22 or five.

23       3. Possession and use of epinephrine auto-injector devices for  
24 adult patients shall be limited as follows:

25       (1) No person shall use an epinephrine auto-injector device  
26 unless such person has successfully completed a training course in the  
27 use of epinephrine auto-injector devices for adult patients approved by  
28 the director of the department of health and senior services. Nothing  
29 in this section shall prohibit the use of an epinephrine auto-injector  
30 device:

31       (a) By a health care professional licensed or certified by this  
32 state who is acting within the scope of his or her practice; or

33       (b) By a person acting pursuant to a lawful prescription;

34       (2) Every person, firm, organization and entity authorized to  
35 possess and use epinephrine auto-injector devices for adult patients  
36 pursuant to this section shall use, maintain and dispose of such devices  
37 for adult patients in accordance with the rules of the department;

38       (3) Every use of an epinephrine auto-injector device pursuant to  
39 this section shall immediately be reported to the emergency health care  
40 provider as defined in section 190.246.

41       4. (1) Use of an epinephrine auto-injector device pursuant to this  
42 section shall be considered first aid or emergency treatment for the  
43 purpose of any law relating to liability.

44       (2) Purchase, acquisition, possession or use of an epinephrine  
45 auto-injector device pursuant to this section shall not constitute the  
46 unlawful practice of medicine or the unlawful practice of a profession.

47       (3) Any person otherwise authorized to sell or provide an  
48 epinephrine auto-injector device may sell or provide it to a person  
49 authorized to possess it pursuant to this section.

50       5. Any person, firm, organization or entity that violates the  
51 provisions of this section is guilty of a class B misdemeanor.

52       6. (1) There is hereby created in the state treasury the  
53 "Epinephrine Auto-injector Devices for Fire Personnel Fund", which  
54 shall consist of money collected under this section. The state treasurer  
55 shall be custodian of the fund. In accordance with sections 30.170 and

56 30.180, the state treasurer may approve disbursements. The moneys in  
57 the fund as set forth in this section shall be subject to appropriation by  
58 the general assembly for the particular purpose for which  
59 collected. The fund shall be a dedicated fund and money in the fund  
60 shall be used solely by the department of health and senior services for  
61 the purposes of providing epinephrine auto-injector devices for adult  
62 patients to qualified first responder agencies as used in this section.

63 (2) Notwithstanding the provisions of section 33.080 to the  
64 contrary, any moneys remaining in the fund at the end of the biennium  
65 shall not revert to the credit of the general revenue fund.

66 (3) The state treasurer shall invest moneys in the fund in the  
67 same manner as other funds are invested. Any interest and moneys  
68 earned on such investments shall be credited to the fund.

✓

Bill

Copy