

116TH CONGRESS  
1ST SESSION

# H. R. 2468

To amend the Public Health Service Act to increase the preference given, in awarding certain allergies and asthma-related grants, to States that require certain public schools to have allergies and asthma management programs, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

MAY 2, 2019

Mr. HOYER (for himself and Mr. DAVID P. ROE of Tennessee) introduced the following bill; which was referred to the Committee on Energy and Commerce

---

## A BILL

To amend the Public Health Service Act to increase the preference given, in awarding certain allergies and asthma-related grants, to States that require certain public schools to have allergies and asthma management programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “School-Based Allergies  
5 and Asthma Management Program Act”.

1 **SEC. 2. ADDITIONAL PREFERENCE TO CERTAIN STATES**  
2 **THAT REQUIRE CERTAIN PUBLIC SCHOOLS**  
3 **TO HAVE ALLERGIES AND ASTHMA MANAGE-**  
4 **MENT PROGRAMS.**

5 Section 399L(d) of the Public Health Service Act (42  
6 U.S.C. 280g(d)) is amended—

7 (1) in paragraph (1), by amending subpara-  
8 graph (F) to read as follows:

9 “(F) SCHOOL PERSONNEL ADMINISTRA-  
10 TION OF RESCUE MEDICATIONS FOR ALLERGIES  
11 AND ASTHMA.—In determining the preference  
12 (if any) to be given to a State under this sub-  
13 section, the Secretary shall give additional pref-  
14 erence to a State that provides to the Secretary  
15 the certification described in subparagraph (G)  
16 and that requires that each public elementary  
17 school and secondary school in the State—

18 “(i) has in place a plan for having on  
19 the premises of the school during all oper-  
20 ating hours of the school a school nurse or  
21 one or more other individuals who are  
22 trained personnel of the school; and

23 “(ii) has in place under the direction  
24 of a school nurse a comprehensive school-  
25 based allergies and asthma management  
26 program that includes—

1           “(I) a method to identify all stu-  
2 dents of such school with a diagnosis  
3 of allergies and asthma;

4           “(II) an individual student aller-  
5 gies and asthma action plan for each  
6 student of such school with a diag-  
7 nosis of allergies and asthma;

8           “(III) allergies and asthma edu-  
9 cation for school staff who are directly  
10 responsible for students who have  
11 been identified as having allergies or  
12 asthma, such as education regarding  
13 basics, management, trigger manage-  
14 ment, and comprehensive emergency  
15 responses with respect to allergies and  
16 asthma;

17           “(IV) efforts to reduce the pres-  
18 ence of environmental triggers of al-  
19 lergies and asthma; and

20           “(V) a system to support stu-  
21 dents with a diagnosis of allergies or  
22 asthma through coordination with  
23 family members of such students, pri-  
24 mary care providers of such students,  
25 and others as necessary.”; and

1 (2) in paragraph (3)(E)—

2 (A) in the matter preceding clause (i), by  
3 inserting “, such as the school nurse” after “in-  
4 dividual”; and

5 (B) in clause (i), by inserting “school  
6 nurse or” before “principal”.

○