

School-Based Allergies and Asthma Management Program Act

[Public Law 116–292]

[This law has not been amended]

【Currency: This publication is a compilation of the text of Public Law 116–292. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT 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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. [42 U.S.C. 201 note] SHORT TITLE.

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

SEC. 2. ADDITIONAL PREFERENCE TO CERTAIN STATES THAT REQUIRE CERTAIN PUBLIC SCHOOLS TO HAVE ALLERGIES AND ASTHMA MANAGEMENT PROGRAMS.

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

(1) in paragraph (1)(F)—

(A) by redesignating clauses (i), (ii), and (iii) as subclauses (I), (II), and (III), respectively, and moving each of such subclauses (as so redesignated) 2 ems to the right;

(B) by striking “epinephrine.—In determining” and inserting “**epinephrine or school comprehensive allergies and asthma management program.—**”

“(i) IN GENERAL.—In determining ”;

(C) by striking “in the State—” and inserting “ in the State satisfy the criteria described in clause (ii) or clause (iii).”

“(ii) CRITERIA FOR SCHOOL PERSONNEL ADMINISTRATION OF EPI-NEPHRINE.—For purposes of clause (i), the criteria described in this clause, with respect to each public elementary school and secondary school in the State, are that each such school— ”; and

(D) by adding at the end the following new clause:

“(iii) CRITERIA FOR SCHOOL COMPREHENSIVE ALLERGIES AND ASTHMA MANAGEMENT PROGRAM.—For purposes of clause (i), the criteria described in this clause, with respect to each public elementary school and secondary school in the State, are that each such school—

“(I) has in place a plan for having on the premises of the school during all operating hours of the school a school nurse or one or more other individuals who are designated by the principal (or other appropriate administrative staff) of the school to direct and apply the program described in subclause (II) on a voluntary basis outside their scope of employment; and

“(II) has in place, under the direction of a school nurse or other individual designated under subclause (I), a comprehensive school-based allergies and asthma management program that includes—

“(aa) a method to identify all students of such school with a diagnosis of allergies and asthma;

“(bb) an individual student allergies and asthma action plan for each student of such school with a diagnosis of allergies and asthma;

“(cc) allergies and asthma education for school staff who are directly responsible for students who have been identified as having allergies or asthma, such as education regarding basics, management, trigger management, and comprehensive emergency responses with respect to allergies and asthma;

“(dd) efforts to reduce the presence of environmental triggers of allergies and asthma; and

“(ee) a system to support students with a diagnosis of allergies or asthma through coordination with family members of such students, primary care providers of such students, primary asthma or allergy care providers of such students, and others as necessary.”; and

(2) in paragraph (3)(E)—

(A) in the matter preceding clause (i), by inserting “, such as the school nurse” after “individual”; and

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