

116TH CONGRESS
2D SESSION

H. R. 7873

To amend the Public Health Service Act to give a preference, with respect to project grants for preventive health services, for States that allow trained individuals to carry and administer epinephrine, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2020

Mr. GROTHMAN introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act to give a preference, with respect to project grants for preventive health services, for States that allow trained individuals to carry and administer epinephrine, 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 “Epi for Dilly Act of
5 2020”.

1 **SEC. 2. PREFERENCE FOR STATES THAT ALLOW TRAINED**
2 **INDIVIDUALS TO CARRY AND ADMINISTER**
3 **EPINEPHRINE.**

4 Section 317 of the Public Health Service Act (42
5 U.S.C. 247b) is amended by adding at the end the fol-
6 lowing new subsection:

7 “(n) PREFERENCE FOR STATES THAT ALLOW
8 TRAINED INDIVIDUALS TO CARRY AND ADMINISTER EPI-
9 NEPHRINE.—

10 “(1) PREFERENCE.—The Secretary, in making
11 grants under this section, shall give preference to
12 any State that—

13 “(A) permits a trained individual to ad-
14 minister epinephrine to any individual reason-
15 ably believed to be having an anaphylactic reac-
16 tion; and

17 “(B) provides to the Secretary the certifi-
18 cation described in paragraph (2).

19 “(2) CIVIL LIABILITY PROTECTION LAW.—The
20 certification described in this paragraph is a certifi-
21 cation made by the attorney general of the State
22 that the State—

23 “(A) has a civil liability protection law;

24 “(B) has reviewed such law to determine
25 the application of such law with regard to a
26 trained individual who may administer epineph-

1 rine to another individual reasonably believed to
2 be having an anaphylactic reaction; and

3 “(C) has concluded that such law provides
4 adequate civil liability protection applicable to
5 such a trained individual.

6 “(3) RULE OF CONSTRUCTION.—Nothing in
7 this subsection creates a cause of action or in any
8 other way increases or diminishes the liability of any
9 person under any other law.

10 “(4) DEFINITIONS.—For purposes of this sub-
11 section:

12 “(A) The term ‘civil liability protection
13 law’ means a State law offering liability protec-
14 tion to individuals who give aid on a voluntary
15 basis in an emergency to an individual who is
16 ill, in peril, or otherwise incapacitated.

17 “(B) The term ‘trained individual’ means
18 an individual—

19 “(i) who has received training in the
20 administration of epinephrine; and

21 “(ii) whose training in the administra-
22 tion of epinephrine meets appropriate med-
23 ical standards and has been approved by
24 the State.”.

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