

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Asthma Inhalers at Recreational Camps Act  
5 is amended by changing Sections 1, 5, and 10 as follows:

6 (410 ILCS 607/1)

7 Sec. 1. Short title. This Act may be cited as the Emergency  
8 Asthma Inhalers and Allergy Treatment for Children ~~at~~  
9 ~~Recreational Camps~~ Act.

10 (Source: P.A. 94-670, eff. 8-23-05.)

11 (410 ILCS 607/5)

12 Sec. 5. Definitions. In this Act:

13 "After-school care program" means an after-school care  
14 program operated by a park district or any nonprofit entity.

15 "Recreational camp" means any place set apart for  
16 recreational purposes for boys and girls. "Recreational camp"  
17 shall not apply to private camps owned or leased for  
18 individual or family use, or to any camp operated for a period  
19 of less than 10 days in a year.

20 (Source: P.A. 94-670, eff. 8-23-05.)

21 (410 ILCS 607/10)

1           Sec. 10. Possession, self-administration, and use of  
2 epinephrine auto-injectors or inhalers at recreation camps and  
3 after-school care programs.

4           (a) A recreation camp or an after-school care program  
5 shall permit a child with severe, potentially life-threatening  
6 allergies to possess, self-administer, and use an epinephrine  
7 auto-injector or inhaler, if the following conditions are  
8 satisfied:

9           (1) The child has the written approval of his or her  
10 parent or guardian.

11           (2) The recreational camp or after-school care program  
12 administrator or, if a nurse is assigned to the camp or  
13 program, the nurse shall receive copies of the written  
14 approvals required under paragraph (1) of subsection (a)  
15 of this Section.

16           (3) The child's parent or guardian shall submit  
17 written verification confirming that the child has the  
18 knowledge and skills to safely possess, self-administer,  
19 and use an epinephrine auto-injector or inhaler in a camp  
20 or an after-school care program setting.

21           (b) The child's parent or guardian shall provide the camp  
22 or program with the following information:

23           (1) the child's name;

24           (2) the name, route, and dosage of medication;

25           (3) the frequency and time of medication  
26 administration or assistance;

1 (4) the date of the order;

2 (5) a diagnosis and any other medical conditions  
3 requiring medications, if not a violation of  
4 confidentiality or if not contrary to the request of the  
5 parent or guardian to keep confidential;

6 (6) specific recommendations for administration;

7 (7) any special side effects, contraindications, and  
8 adverse reactions to be observed;

9 (8) the name of each required medication; and

10 (9) any severe adverse reactions that may occur to  
11 another child, for whom the epinephrine auto-injector or  
12 inhaler is not prescribed, should the other child receive  
13 a dose of the medication.

14 (c) If the conditions of this Act are satisfied, the child  
15 may possess, self-administer, and use an epinephrine  
16 auto-injector or inhaler at the camp or after-school care  
17 program or at any camp-sponsored or program-sponsored  
18 activity, event, or program.

19 (d) The recreational camp or after-school care program  
20 must inform the parents or guardians of the child, in writing,  
21 that the recreational camp or after-school care program and  
22 its employees and agents are to incur no liability, as  
23 applicable, except for willful and wanton conduct, as a result  
24 of any injury arising from the self-administration of  
25 medication to the child. The parents or guardians of the child  
26 must sign a statement acknowledging that the recreational camp

1 or after-school care program is to incur no liability, except  
2 for willful and wanton conduct, as a result of any injury  
3 arising from the self-administration of medication by the  
4 child and that the parents or guardians must indemnify and  
5 hold harmless the recreational camp or after-school care  
6 program and its employees and agents, as applicable, against  
7 any claims, except a claim based on willful and wanton  
8 conduct, arising out of the self-administration of medication  
9 by the child.

10 (e) After-school care program personnel who have completed  
11 an anaphylaxis training program as identified under the  
12 Epinephrine Injector Act may administer an undesignated  
13 epinephrine injection to any child if the after-school care  
14 program personnel believe in good faith that the child is  
15 having an anaphylactic reaction while in the after-school care  
16 program. After-school care program personnel may carry  
17 undesignated epinephrine injectors on their person while in  
18 the after-school care program.

19 (f) After-school care program personnel may administer  
20 undesignated asthma medication to any child if the  
21 after-school care program personnel believe in good faith that  
22 the child is experiencing respiratory distress while in the  
23 after-school care program. After-school care program personnel  
24 may carry undesignated asthma medication on their person while  
25 in the after-school care program.

26 (g) If after-school care program personnel are to

1 administer an undesignated epinephrine injection or an  
2 undesignated asthma medication to a child, the after-school  
3 care program personnel must inform the parents or guardians of  
4 the child, in writing, that the after-school care program and  
5 its employees and agents, acting in accordance with standard  
6 protocols and the prescription for the injection or  
7 medication, shall incur no liability, except for willful and  
8 wanton conduct, as a result of any injury arising from the  
9 administration of the injection or medication, notwithstanding  
10 whether authorization was given by the child's parents or  
11 guardians or by the child's physician, physician assistant, or  
12 advanced practice registered nurse. A parent or guardian of  
13 the child must sign a statement acknowledging that the  
14 after-school care program and its employees and agents are to  
15 incur no liability, except for willful and wanton conduct, as  
16 a result of any injury arising from the administration of the  
17 medication or injection, regardless of whether authorization  
18 was given by a parent or guardian of the child or by the  
19 child's physician, physician assistant, or advanced practice  
20 registered nurse, and that the parent or guardian must also  
21 indemnify and hold harmless the after-school care program and  
22 its employees and agents against any claims, except a claim  
23 based on willful and wanton conduct, arising out of the  
24 administration of the medication or injection, regardless of  
25 whether authorization was given by the child's parent or  
26 guardian or by the child's physician, physician assistant, or

1 advanced practice registered nurse.

2 (h) If after-school care program personnel administer an  
3 undesigned epinephrine injection to a person and the  
4 after-school care program personnel believe in good faith the  
5 person is having an anaphylactic reaction or administer  
6 undesigned asthma medication to a person and believe in good  
7 faith the person is experiencing respiratory distress, then  
8 the after-school care program and its employees and agents,  
9 acting in accordance with standard protocols and the  
10 prescription for the injection or medication, shall not incur  
11 any liability or be subject to professional discipline, except  
12 for willful and wanton conduct, as a result of any injury  
13 arising from the use of the injection or medication,  
14 notwithstanding whether notice was given to or authorization  
15 was given by the child's parent or guardian or by the child's  
16 physician, physician assistant, or advanced practice  
17 registered nurse and notwithstanding the absence of the  
18 parent's or guardian's signed statement acknowledging release  
19 from liability.

20 (i) The changes made to this Section by this amendatory  
21 Act of the 103rd General Assembly apply to actions filed on or  
22 after the effective date of this amendatory Act of the 103rd  
23 General Assembly.

24 (Source: P.A. 94-670, eff. 8-23-05.)

25 Section 99. Effective date. This Act takes effect upon  
26 becoming law.