

AN ACT concerning State government.

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

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

(410 ILCS 607/1)

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

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

(410 ILCS 607/5)

Sec. 5. Definitions. In this Act:

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

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

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

(410 ILCS 607/10)

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

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

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

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

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

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

(1) the child's name;

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

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

(4) the date of the order;

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

(6) specific recommendations for administration;

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

(8) the name of each required medication; and

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

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

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

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

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

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

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

administer an undesignated epinephrine injection or an undesignated asthma medication to a child, the after-school care program personnel must inform the parents or guardians of the child, in writing, that the after-school care program and its employees and agents, acting in accordance with standard protocols and the prescription for the injection or medication, shall incur no liability, except for willful and wanton conduct, as a result of any injury arising from the administration of the injection or medication, notwithstanding whether authorization was given by the child's parents or guardians or by the child's physician, physician assistant, or advanced practice registered nurse. A parent or guardian of the child must sign a statement acknowledging that the after-school care program and its employees and agents are to incur no liability, except for willful and wanton conduct, as a result of any injury arising from the administration of the medication or injection, regardless of whether authorization was given by a parent or guardian of the child or by the child's physician, physician assistant, or advanced practice registered nurse, and that the parent or guardian must also indemnify and hold harmless the after-school care program and its employees and agents against any claims, except a claim based on willful and wanton conduct, arising out of the administration of the medication or injection, regardless of whether authorization was given by the child's parent or guardian or by the child's physician, physician assistant, or

advanced practice registered nurse.

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

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

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

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