



Ohio Revised Code

Section 3313.718 Possession and use of epinephrine autoinjector to treat anaphylaxis.

Effective: August 26, 2026

Legislation: House Bill 462 - 136th General Assembly

(A) As used in this section:

(1) "Epinephrine delivery system" means any device or other product that contains a premeasured dose of epinephrine and enables the dose to be administered through any route of administration into the human body to prevent or treat a life-threatening allergic reaction. "Epinephrine delivery system" includes all of the following:

(a) Autoinjectors;

(b) Intranasal sprays;

(c) Any device or other product designated by the state board of pharmacy in rules adopted under section 4729.262 of the Revised Code.

(2) "Prescriber" has the same meaning as in section 4729.01 of the Revised Code.

(B) Notwithstanding section 3313.713 of the Revised Code or any policy adopted under that section, a student of a school operated by a city, local, exempted village, or joint vocational school district or a student of a chartered nonpublic school may possess and use an epinephrine delivery system to treat anaphylaxis, if all of the following conditions are satisfied:

(1) The student has the written approval of the prescriber of the delivery system and, if the student is a minor, the written approval of the parent, guardian, or other person having care or charge of the student. The prescriber's written approval shall include at least all of the following information:

(a) The student's name and address;

(b) The names and dose of the epinephrine contained in the delivery system;

(c) The date that administration of epinephrine through the delivery system is authorized to begin;

(d) The date, if known, that authority to administer epinephrine through the delivery system is to cease;



(e) Acknowledgment that the prescriber has determined that the student is capable of possessing and using the delivery system appropriately and has provided the student with training in the proper use of the delivery system;

(f) Circumstances in which the delivery system should be used;

(g) Written instructions that outline procedures school employees should follow in the event that the student is unable to administer epinephrine through the delivery system or the medication does not produce the expected relief from the student's anaphylaxis;

(h) Any severe adverse reactions that may occur to the student using the epinephrine delivery system that should be reported to the prescriber;

(i) Any severe adverse reactions that may occur to another student, for whom the epinephrine delivery system is not prescribed, should such a student receive a dose of epinephrine;

(j) At least one emergency telephone number for contacting the prescriber in an emergency;

(k) At least one emergency telephone number for contacting the parent, guardian, or other person having care or charge of the student in an emergency;

(l) Any other special instructions from the prescriber.

(2) The school principal and, if a school nurse is assigned to the student's school building, the school nurse has received copies of the written approvals required by division (B)(1) of this section.

(3) The school principal or, if a school nurse is assigned to the student's school building, the school nurse has received a backup epinephrine delivery system from the parent, guardian, or other person having care or charge of the student or, if the student is not a minor, from the student.

If these conditions are satisfied, the student may possess and use the epinephrine delivery system at school or at any activity, event, or program sponsored by or in which the student's school is a participant.

(C) Whenever a student uses an epinephrine delivery system at school or at any activity, event, or program sponsored by or in which the student's school is a participant or whenever a school employee administers epinephrine to a student through an epinephrine delivery system that was possessed by the student pursuant to the written approvals described in division (B)(1) of this section, a school employee shall immediately request assistance from an emergency medical service provider.



(D)(1) A school district, member of a school district board of education, or school district employee is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from a district employee's prohibiting a student from using an epinephrine delivery system because of the employee's good faith belief that the conditions of division (B) of this section had not been satisfied. A school district, member of a school district board of education, or school district employee is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from a district employee's permitting a student to use an epinephrine delivery system because of the employee's good faith belief that the conditions of division (B) of this section had been satisfied. Furthermore, when a school district is required by this section to permit a student to possess and use an epinephrine delivery system because the conditions of division (B) of this section have been satisfied, the school district, any member of the school district board of education, or any school district employee is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from the use of the epinephrine delivery system by a student for whom it was not prescribed.

This section does not eliminate, limit, or reduce any other immunity or defense that a school district, member of a school district board of education, or school district employee may be entitled to under Chapter 2744. or any other provision of the Revised Code or under the common law of this state.

(2) A chartered nonpublic school or any officer, director, or employee of the school is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from a school employee's prohibiting a student from using an epinephrine delivery system because of the employee's good faith belief that the conditions of division (B) of this section had not been satisfied. A chartered nonpublic school or any officer, director, or employee of the school is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from a school employee's permitting a student to use an epinephrine delivery system because of the employee's good faith belief that the conditions of division (B) of this section had been satisfied. Furthermore, when a chartered nonpublic school is required by this section to permit a student to possess and use an epinephrine delivery system because the conditions of division (B) of this section have been satisfied, the chartered nonpublic school or any officer, director, or employee of the school is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from the use of the epinephrine delivery system by a student for whom it was not prescribed.