



Ohio Revised Code

Section 3326.28 Procurement of epinephrine autoinjectors for STEM schools.

Effective: August 26, 2026

Legislation: House Bill 462 - 136th General Assembly

(A) As used in this section:

(1) "Epinephrine delivery system" has the same meaning as in section 3313.718 of the Revised Code.

(2) "Licensed health professional authorized to prescribe drugs," "manufacturer of dangerous drugs," and "wholesale distributor of dangerous drugs" have the same meanings as in section 4729.01 of the Revised Code.

(B) With the approval of its governing body, a STEM school established under this chapter may procure epinephrine delivery systems in the manner prescribed by section 3313.7110 of the Revised Code. A STEM school that elects to do so shall comply with all provisions of that section as if it were a school district.

(C)(1) The following are not liable in damages in a civil action for injury, death, or loss to person or property that allegedly arises from an act or omission associated with procuring, maintaining, accessing, or using an epinephrine delivery system under this section, unless the act or omission constitutes willful or wanton misconduct:

(a) A STEM school;

(b) A member of a STEM school governing body;

(c) A STEM school employee or contractor;

(d) A licensed health professional authorized to prescribe drugs who personally furnishes or prescribes epinephrine delivery systems, provides a consultation, or issues a protocol pursuant to this section.

(2) This division does not eliminate, limit, or reduce any other immunity or defense that a STEM school or governing body, member of a STEM school governing body, STEM school employee or contractor, or licensed health professional may be entitled to under Chapter 2744. or any other provision of the Revised Code or under the common law of this state.



(D) A STEM school may accept donations of epinephrine delivery systems from a wholesale distributor of dangerous drugs or a manufacturer of dangerous drugs and may accept donations of money from any person to purchase epinephrine delivery systems.

(E) A STEM school that elects to procure epinephrine delivery systems under this section shall report to the department of education and workforce each procurement and occurrence in which an epinephrine delivery system is used from the school's supply of epinephrine delivery systems.
