

Committee Print

[SHOWING THE TEXT OF H.R. 2468, AS FAVORABLY FORWARDED BY THE
ENERGY AND COMMERCE SUBCOMMITTEE ON HEALTH ON MARCH 11, 2020]

116TH CONGRESS
2D SESSION

H. R. 2468

To amend the Public Health Service Act to increase the preference given, in awarding certain allergies and asthma-related grants, to States that require certain public schools to have allergies and asthma management programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M. _____ introduced the following bill; which was referred to the
Committee on _____

A BILL

To amend the Public Health Service Act to increase the preference given, in awarding certain allergies and asthma-related grants, to States that require certain public schools to have allergies and asthma management programs, 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 “School-Based Allergies
5 and Asthma Management Program Act”.

1 **SEC. 2. ADDITIONAL PREFERENCE TO CERTAIN STATES**
2 **THAT REQUIRE CERTAIN PUBLIC SCHOOLS**
3 **TO HAVE ALLERGIES AND ASTHMA MANAGE-**
4 **MENT PROGRAMS.**

5 Section 399L(d) of the Public Health Service Act (42
6 U.S.C. 280g(d)) is amended—

7 (1) in paragraph (1)(F)—

8 (A) by redesignating clauses (i), (ii), and
9 (iii) as subclauses (I), (II), and (III), respec-
10 tively, and moving each of such subclauses (as
11 so redesignated) 2 ems to the right;

12 (B) by striking “EPINEPHRINE.—In deter-
13 mining” and inserting “EPINEPHRINE OR
14 SCHOOL COMPREHENSIVE ALLERGIES AND
15 ASTHMA MANAGEMENT PROGRAM.—

16 “(i) IN GENERAL.—In determining”;

17 (C) by striking “in the State—” and in-
18 serting “in the State satisfy the criteria de-
19 scribed in clause (ii) or clause (iii).

20 “(ii) CRITERIA FOR SCHOOL PER-
21 SONNEL ADMINISTRATION OF EPINEPH-
22 RINE.—For purposes of clause (i), the cri-
23 teria described in this clause, with respect
24 to each public elementary school and sec-
25 ondary school in the State, are that each
26 such school—”; and

1 (D) by adding at the end the following new
2 clause:

3 “(iii) CRITERIA FOR SCHOOL COM-
4 PREHENSIVE ALLERGIES AND ASTHMA
5 MANAGEMENT PROGRAM.—For purposes of
6 clause (i), the criteria described in this
7 clause, with respect to each public elemen-
8 tary school and secondary school in the
9 State, are that each such school—

10 “(I) has in place a plan for hav-
11 ing on the premises of the school dur-
12 ing all operating hours of the school a
13 school nurse or one or more other in-
14 dividuals who are designated by the
15 principal (or other appropriate admin-
16 istrative staff) of the school to direct
17 and apply the program described in
18 subclause (II) on a voluntary basis
19 outside their scope of employment;
20 and

21 “(II) has in place, under the di-
22 rection of a school nurse or other indi-
23 vidual designated under subclause (I),
24 a comprehensive school-based allergies

1 and asthma management program
2 that includes—

3 “(aa) a method to identify
4 all students of such school with a
5 diagnosis of allergies and asthma;

6 “(bb) an individual student
7 allergies and asthma action plan
8 for each student of such school
9 with a diagnosis of allergies and
10 asthma;

11 “(cc) allergies and asthma
12 education for school staff who
13 are directly responsible for stu-
14 dents who have been identified as
15 having allergies or asthma, such
16 as education regarding basics,
17 management, trigger manage-
18 ment, and comprehensive emer-
19 gency responses with respect to
20 allergies and asthma;

21 “(dd) efforts to reduce the
22 presence of environmental trig-
23 gers of allergies and asthma; and

24 “(ee) a system to support
25 students with a diagnosis of al-

1 allergies or asthma through coordi-
2 nation with family members of
3 such students, primary care pro-
4 viders of such students, primary
5 asthma or allergy care providers
6 of such students, and others as
7 necessary.”; and

8 (2) in paragraph (3)(E)—

9 (A) in the matter preceding clause (i), by
10 inserting “, such as the school nurse” after “in-
11 dividual”; and

12 (B) in clause (i), by inserting “school
13 nurse or” before “principal”.