

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2468**

OFFERED BY _____

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “School-Based Allergies
3 and Asthma Management Program Act”.

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

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

10 (1) in paragraph (1)(F)—

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

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

1 “(i) IN GENERAL.—In determining”;

2 (C) by striking “in the State—” and in-
3 sserting “in the State satisfy the criteria de-
4 scribed in clause (ii) or clause (iii).

5 “(ii) CRITERIA FOR SCHOOL PER-
6 SONNEL ADMINISTRATION OF EPINEPH-
7 RINE.—For purposes of clause (i), the cri-
8 teria described in this clause, with respect
9 to each public elementary school and sec-
10 ondary school in the State, are that each
11 such school—”; and

12 (D) by adding at the end the following new
13 clause:

14 “(iii) CRITERIA FOR SCHOOL COM-
15 PREHENSIVE ALLERGIES AND ASTHMA
16 MANAGEMENT PROGRAM.—For purposes of
17 clause (i), the criteria described in this
18 clause, with respect to each public elemen-
19 tary school and secondary school in the
20 State, are that each such school—

21 “(I) has in place a plan for hav-
22 ing on the premises of the school dur-
23 ing all operating hours of the school a
24 school nurse or one or more other in-
25 dividuals who are designated by the

1 principal (or other appropriate admin-
2 istrative staff) of the school to direct
3 and apply the program described in
4 subclause (II) on a voluntary basis
5 outside their scope of employment;
6 and

7 “(II) has in place, under the di-
8 rection of a school nurse or other indi-
9 vidual designated under subclause (I),
10 a comprehensive school-based allergies
11 and asthma management program
12 that includes—

13 “(aa) a method to identify
14 all students of such school with a
15 diagnosis of allergies and asthma;

16 “(bb) an individual student
17 allergies and asthma action plan
18 for each student of such school
19 with a diagnosis of allergies and
20 asthma;

21 “(cc) allergies and asthma
22 education for school staff who
23 are directly responsible for stu-
24 dents who have been identified as
25 having allergies or asthma, such

1 as education regarding basics,
2 management, trigger manage-
3 ment, and comprehensive emer-
4 gency responses with respect to
5 allergies and asthma;

6 “(dd) efforts to reduce the
7 presence of environmental trig-
8 gers of allergies and asthma; and

9 “(ee) a system to support
10 students with a diagnosis of al-
11 lergies or asthma through coordi-
12 nation with family members of
13 such students, primary care pro-
14 viders of such students, primary
15 asthma or allergy care providers
16 of such students, and others as
17 necessary.”; and

18 (2) in paragraph (3)(E)—

19 (A) in the matter preceding clause (i), by
20 inserting “, such as the school nurse” after “in-
21 dividual”; and

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

