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# NATIONAL ASSEMBLY

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FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 1197

**An Act to require preschool, elementary  
and secondary educational institutions to  
adopt practices for managing cases of  
anaphylaxis**

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**Introduction**

**Introduced by  
Madam Carole Poirier  
Member for Hochelaga-Maisonneuve**

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## **EXPLANATORY NOTES**

*The purpose of this bill is to require public and private preschool, elementary and secondary educational institutions to adopt practices for managing cases of anaphylaxis applicable to all students, except those enrolled in vocational training or adult education.*

*The bill requires all school boards and private educational institutions to adopt and implement a policy for managing cases of anaphylaxis. Among other things, this policy must require school principals to have an individual emergency plan for each student at risk of having an anaphylactic reaction.*

*Lastly, the bill authorizes school board or private educational institution employees who have reasonable grounds for believing that a student is having an anaphylactic reaction to administer an epinephrine injection even without the parents', tutor's or student's prior consent.*

# Bill 1197

## AN ACT TO REQUIRE PRESCHOOL, ELEMENTARY AND SECONDARY EDUCATIONAL INSTITUTIONS TO ADOPT PRACTICES FOR MANAGING CASES OF ANAPHYLAXIS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

### CHAPTER I

#### PURPOSE

**1.** The purpose of this Act is to require preschool, elementary and secondary educational institutions to adopt practices for managing cases of anaphylaxis, in particular with regard to prevention and intervention.

In this Act, “anaphylaxis” means a severe systemic allergic reaction which can be fatal, resulting in shock or circulatory collapse.

### CHAPTER II

#### POLICY FOR MANAGING CASES OF ANAPHYLAXIS

**2.** All school boards and private educational institutions must adopt and maintain a policy for managing cases of anaphylaxis.

The policy applies to all of a public or private educational institution’s students, except those enrolled in vocational training or adult education.

The policy must be adopted no later than 15 August (*insert the year following the year of coming into force of this Act*) and, then, reviewed every three years.

**3.** All school principals must ensure that, on registering in their institution, parents, tutors and students are asked to provide information on the student’s known allergies that could result in an anaphylactic reaction, if any.

**4.** All school principals must have an individual emergency plan for all students at risk of having an anaphylactic reaction, including a copy of any prescriptions and instructions from the student’s physician or nurse and an up-to-date emergency contact list.

**5.** A policy adopted under section 2 must contain the following:

(1) a communications plan for disseminating information on allergies that could result in an anaphylactic reaction to parents, students and school board or private educational institution employees;

(2) a training plan on dealing with allergies that could result in an anaphylactic reaction for all school board or private educational institution employees and others who are in direct contact with students on a regular basis; and

(3) the manner in which the obligations set out in sections 3 and 4 are to be implemented.

### **CHAPTER III**

#### **STUDENT'S INDIVIDUAL EMERGENCY PLAN**

**6.** Individual emergency plans for students at risk of having an anaphylactic reaction must be consistent with the school board's or private educational institution's policy for managing cases of anaphylaxis and include:

(1) details informing school board or private educational institution employees and others who are in direct contact with the student on a regular basis of the type of allergy, prevention measures and appropriate intervention in case of an anaphylactic reaction;

(2) the emergency measures to be implemented and the student's emergency contact information; and

(3) the location where epinephrine auto-injectors are stored, if applicable.

### **CHAPTER IV**

#### **STUDENT'S MEDICATION AND ITS ADMINISTRATION**

**7.** School board or private educational institution employees are authorized to administer medication to a student or supervise a student while he or she self-administers the medication in response to an anaphylactic reaction, subject to the parents', tutor's or student's prior consent and according to the instructions in the student's file.

However, school board or private educational institution employees who have reasonable grounds for believing that a student is having an anaphylactic reaction may administer an epinephrine injection despite the lack of consent or instructions mentioned in the first paragraph.

**8.** The student's parents or tutor, and the student, must ensure that the information in the student's file about the medication he or she is taking is kept up-to-date.

## **CHAPTER V**

### **REGULATIONS AND THE MINISTER'S POWERS**

**9.** The Minister may, by regulation, determine the detailed procedures and measures for preventing and intervening in cases involving an anaphylactic reaction that must, at a minimum, be included in the policy for managing cases of anaphylaxis adopted by the school board or private educational institution.

**10.** The Minister may, by regulation, determine the content of the tools, forms and models that may be used in implementing the measures of the policy for managing cases of anaphylaxis adopted by the school board or private educational institution.

**11.** The Minister may mandate a third party to develop and test the policy for managing cases of anaphylaxis adopted by the school board or private educational institution and applicable to the students referred to in section 2.

## **CHAPTER VI**

### **FINAL PROVISIONS**

**12.** The Minister of Education, Recreation and Sports is responsible for the administration of this Act.

**13.** This Act comes into force on *(insert the date of assent to this Act)*.





