

116<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 2468

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## AN ACT

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,*

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.—

19 “(i) IN GENERAL.—In determining”;

20 (C) by striking “in the State—” and in-  
21 serting “in the State satisfy the criteria de-  
22 scribed in clause (ii) or clause (iii).

23 “(ii) CRITERIA FOR SCHOOL PER-  
24 SONNEL ADMINISTRATION OF EPINEPH-  
25 RINE.—For purposes of clause (i), the cri-  
26 teria described in this clause, with respect

1 to each public elementary school and sec-  
2 ondary school in the State, are that each  
3 such school—”; and

4 (D) by adding at the end the following new  
5 clause:

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

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

24 “(II) has in place, under the di-  
25 rection of a school nurse or other indi-

1           vidual designated under subclause (I),  
2           a comprehensive school-based allergies  
3           and asthma management program  
4           that includes—

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

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

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

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

1                   “(ee) a system to support  
2                   students with a diagnosis of al-  
3                   lergies or asthma through coordi-  
4                   nation with family members of  
5                   such students, primary care pro-  
6                   viders of such students, primary  
7                   asthma or allergy care providers  
8                   of such students, and others as  
9                   necessary.”; and

10                   (2) in paragraph (3)(E)—

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

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

Passed the House of Representatives September 29,  
2020.

Attest:

*Clerk.*

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