

116TH CONGRESS
2D SESSION

H. R. 2468

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-

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

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

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

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

“(dd) efforts to reduce the
presence of environmental trig-
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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