

Liability: Administration of Epi Pen by Person Trained

Cal Health & Saf Code 1797.197a

A prehospital emergency medical care person or other person who is trained to use an epi pen can use the auto-injector to provide emergency care to a person if the auto-injector was legally obtained and properly stored, consent is given by the person experiencing anaphylaxis, and the Emergency Medical Services System is activated as soon as possible.

Definitions; Requirements for prehospital use of epinephrine auto-injector; Training; Certification

(b) A prehospital emergency medical care person or lay rescuer may use an epinephrine auto-injector to render emergency care to another person if all of the following requirements are met:

- (1) The epinephrine auto-injector is legally obtained by prescription from an authorized health care provider. An authorized health care provider may issue a prescription for an epinephrine auto-injector to a person described in this subdivision for the purpose of rendering emergency care to another person, upon presentation of current certification demonstrating that person is trained and qualified to administer an epinephrine auto-injector as a prehospital emergency medical care person or lay rescuer, pursuant to this section or any other statute or regulation.
- (2) The epinephrine auto-injector is used on another, with the expressed or implied consent of that person, to treat anaphylaxis.
- (3) The epinephrine auto-injector is stored and maintained as directed by the manufacturer's instructions for that product.
- (4) The person using the epinephrine auto-injector has successfully completed a course of training with an authorized training provider, as described in subdivision (c), and has current certification of training issued by the provider.
- (5) The epinephrine auto-injectors obtained by prehospital emergency medical care personnel pursuant to Section

4119.3 of the Business and Professions Code shall be used only when functioning outside the course of the person's occupational duties, or as a volunteer, pursuant to this section.

(6) The Emergency Medical Services System is activated as soon as practicable when an epinephrine auto-injector is used.