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August 2, 2018

MUNICIPAL LAW GROUP

Law Amended to Encourage Medical Professionals to Prescribe EpiPen Devices for Use by Police

The General Assembly has acted to expand “Annie LeGere’s Law” by providing added protections for health professionals who write prescriptions for police officers to administer epinephrine in an emergency by use of an EpiPen. Police officers are already protected from liability for injury in the use of EpiPen injections to a person suffering anaphylactic shock due to a severe allergic reaction. This amendment is intended to encourage medical professionals to more readily prescribe the needed EpiPens by insulating them from liability for prescribing the devices when writing a standing order for their use by law enforcement officers.

The Illinois Police Training Act was amended to make the following changes (as shown in italics) regarding the liability of medical professionals:

“(g) When a police officer administers an epinephrine auto-injector in good faith, the police officer and local governmental agency, and its employees and agents, *including a physician, physician’s assistant with prescriptive authority, or advanced practice registered nurse with prescriptive authority who provides a standing order or prescription for an epinephrine auto-injector*, incur *no civil or professional* liability, except for willful and wanton conduct, as a result of any injury or death arising from the use of an epinephrine auto-injector.”

For any questions or comments you might have regarding this newsletter, please feel free to contact us.

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