

Administration of Epinephrine in the Backcountry

Evolving Legal Considerations

Leah Corrigan, Esq
Nadia Kimmel, RN

How the concept for Epi pens works

- Prescription (Rx)
- Authorized Entity
- Stored in an accessible place
- Use only by a trained employee
- Is an appropriate emergency

Evolving Laws

Evolving Treatment

Take Away Points

Issues of Note

- Auto injectors
- Programs that cross state lines
- Liability: Wrong selection, timing of use
- No duty to carry epi
- Duty to report
- Consent/negligence
- Good Samaritan Statutes

Immunity

Cost/benefit of Epi pens

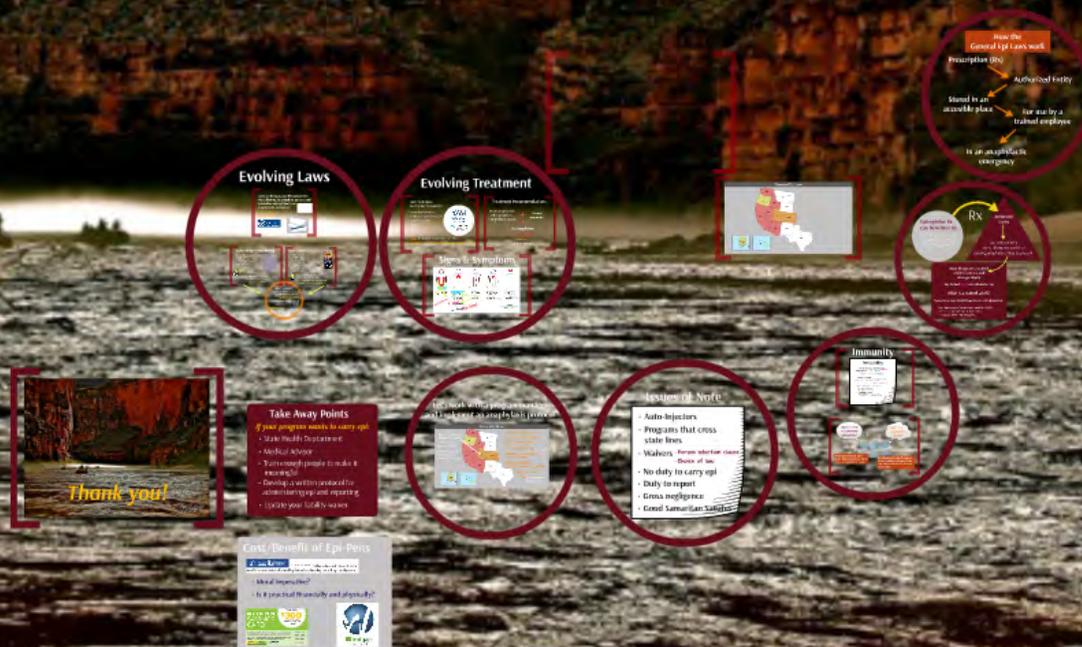
Thank you!

Solee

Administration of Epinephrine in the Backcountry

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Solee

Evolving Laws

Laws are being passed throughout the West allowing lay people to possess and administer epinephrine in an anaphylactic emergency.

What is driving this legislative push?



Case Study - Rural Setting

13 y.o. girl
Allergic to peanuts
Rice Krispie Treat
Watched her for S/Sx of an allergic reaction



S/Sx: • Vomiting
• Difficulty breathing

Tx: • Dad administered 2 Epi-Pens
• Third dose delayed

She could not be resuscitated

Case Study - Backcountry Setting

• 54 y.o. female
• Allergic to nuts
• Ate some pesto pasta
• Told her husband "I don't feel good"
• Walked back her tent
• Tried blowing a whistle for help
• Customer noticed her in distress



S/Sx: • Difficulty breathing - cyanotic
• Stopped Breathing

Tx: • Two Epi-Pens administered

She could not be resuscitated

- History of a moderate to severe allergy to nuts
- No visible S/Sx until 20 minutes later *their anaphylactic reaction started upon exposure*
- Epi was not effective at reversing severe S/Sx of cardiorespiratory arrest

Legislative push:

1. Readily available epi
2. Minimally trained people
3. Public awareness

Evolving Treatment

Joint Task Force on Practice Parameters

- Literature Review
- Evidence-Based Practice
- Expert Consult

→ Treatment Recommendations

Anaphylaxis - A Practice Parameter Update 2015

P. Lieberman et al.



Treatment Recommendation

Hx of anaphylaxis:
• Mild symptoms
• Single body system

+ Known exposure

↓
Epinephrine

Immediately!

Followed by

Antihistamine

Signs & Symptoms

RESPIRATORY	GASTROINTESTINAL	CARDIOVASCULAR	NEUROLOGICAL
 hives, swelling, wheezing, watery, redness SOB, chest pain or tightness, throat tightness, trouble swallowing, hoarse voice, nasal congestion or hay fever-like symptoms, (sneezing or runny or itchy nose; itchy or watery eyes)	 nausea, stomach pain or cramps, vomiting, diarrhea	 dizziness/light-headedness, pale/blue colour, weak pulse, fainting, shock, loss of consciousness	 anxiety, feeling of "impending doom" (feeling that something really bad is about to happen), headache
OTHER uterine cramps			

And this famine is too late!

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What is driving this legislative push?



Chatfield High School student, Simon Katz, 16, dies after eating s'more containing peanut butter

Teen had severe peanut allergies

BY: Jennifer Kovalski, Alan Gathright
POSTED: 11:49 AM, Sep 23, 2015



STALEY - Morgan Eli
suddenly from an all
Forest Baptist Med'

Crutchfield, 17, of Staley passed away
on Monday, Oct. 5, 2015, at Wake



By Mary Lynn Smith Star Tribune

JANUARY 22, 2016

Allergic reaction
kills 22

THE SACRAMENTO BEE

HEALTHY CHOICES

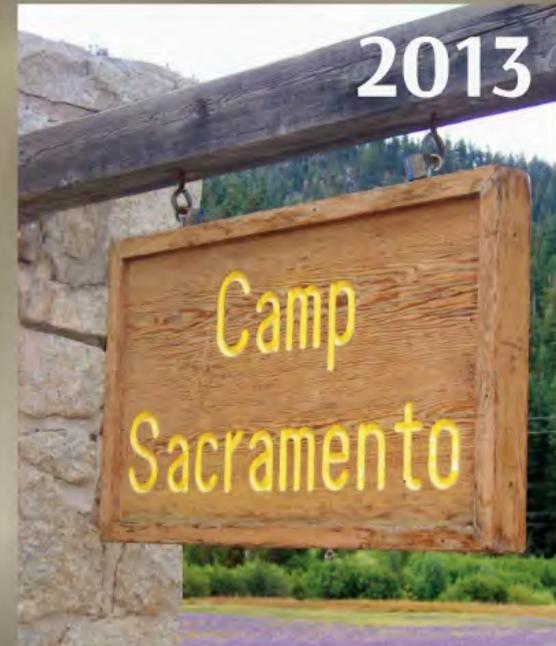
NOVEMBER 12, 2014 7:04 PM

New law requires California schools to stock
epinephrine injectors for allergic children

due
man

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Legislative push:

1. Readily available epi
2. More trained people
3. Faster Response

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Evolving Treatment

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- Literature Review
- Evidence-Based Practice
- Expert Consult
- 1998
- 2010
- 2015



→ Treatment Recommendations

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Treatment Recommendations

Hx of anaphylaxis:

- Mild symptoms
- Single body system



Known exposure

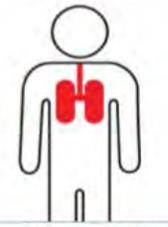
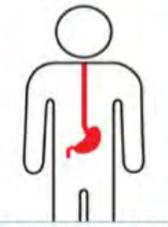
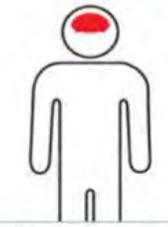
Epinephrine

immediately!

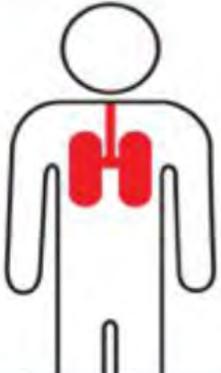
Followed by

Antihistamine

Signs & Symptoms

				
hives, swelling, itching, warmth,	RESPIRATORY coughing, wheezing, shortness of	GASTROINTESTINAL nausea, stomach pain	CARDIOVASCULAR dizziness/ lightheadedness,	NEUROLOGICAL anxiety, feeling of "impending

Signs & Symptoms

				
	RESPIRATORY	GASTROINTESTINAL	CARDIOVASCULAR	NEUROLOGICAL
hives, swelling, itching, warmth, redness	coughing, wheezing, shortness of breath, chest pain or tightness, throat tightness, trouble swallowing, hoarse voice, nasal congestion or hay fever-like symptoms, (sneezing or runny nose or itchy nose; red itchy or watery eyes)	nausea, stomach pain or cramps, vomiting, diarrhea	dizziness/ lightheadedness, pale/blue colour, weak pulse, fainting, shock, loss of consciousness	anxiety, feeling of "impending doom" (feeling that something really bad is about to happen), headache
				OTHER uterine cramps

Antihistamine

+ Epi

Too late!

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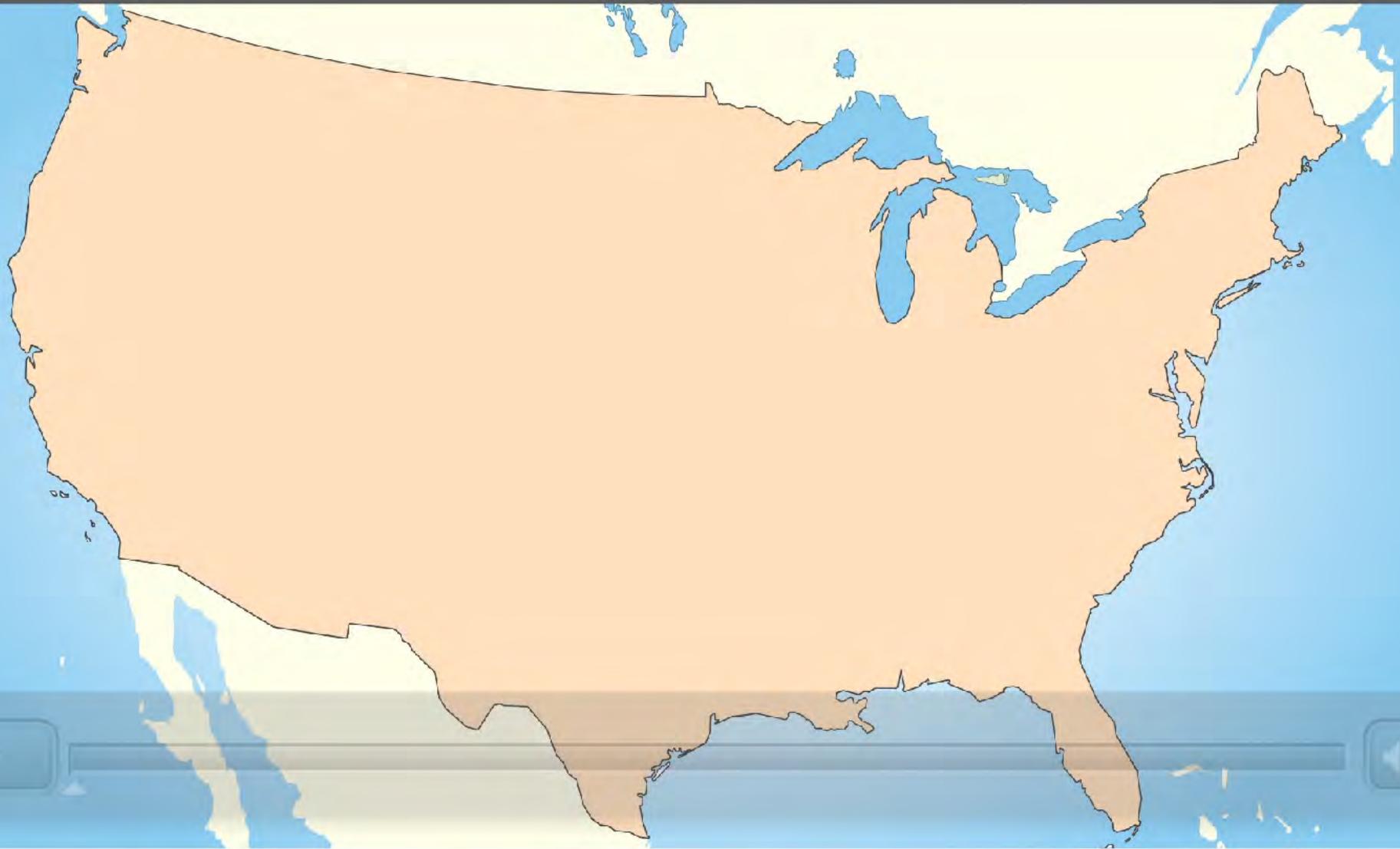


Epinephrine

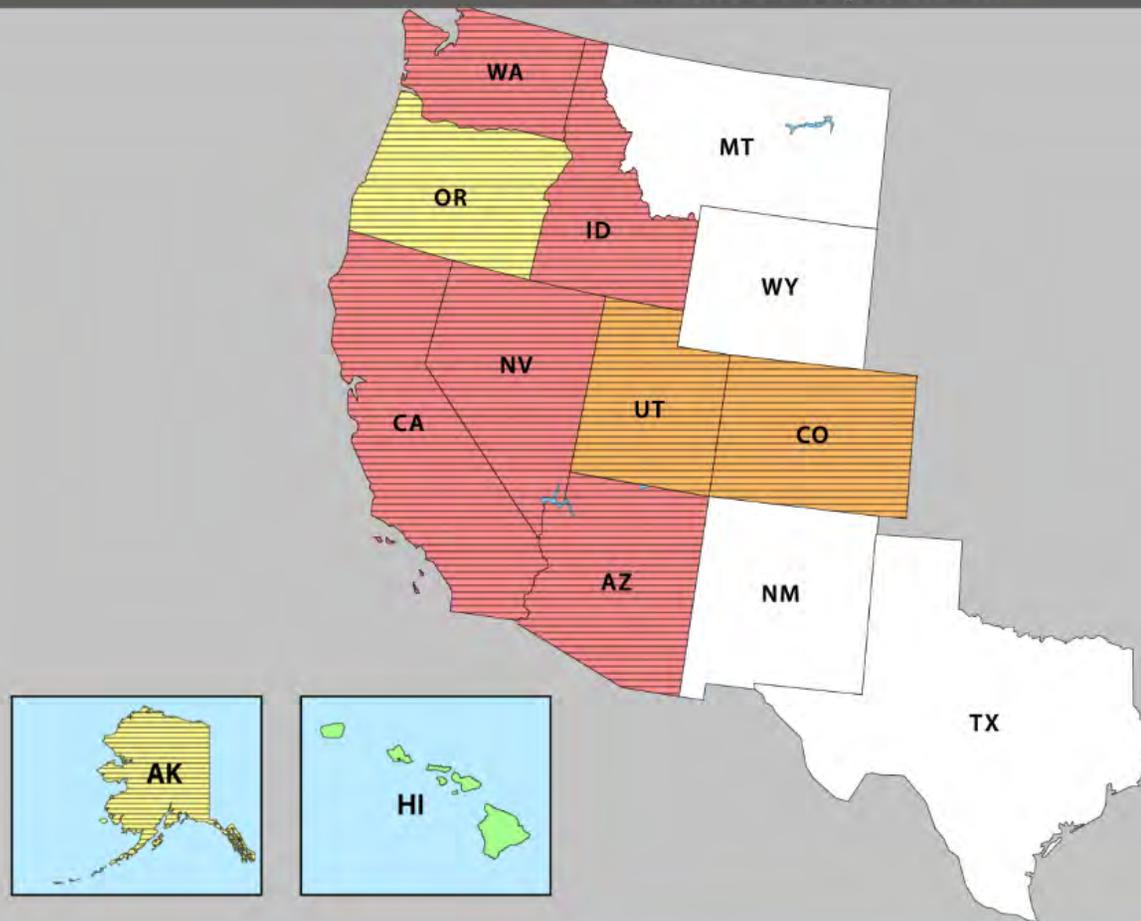
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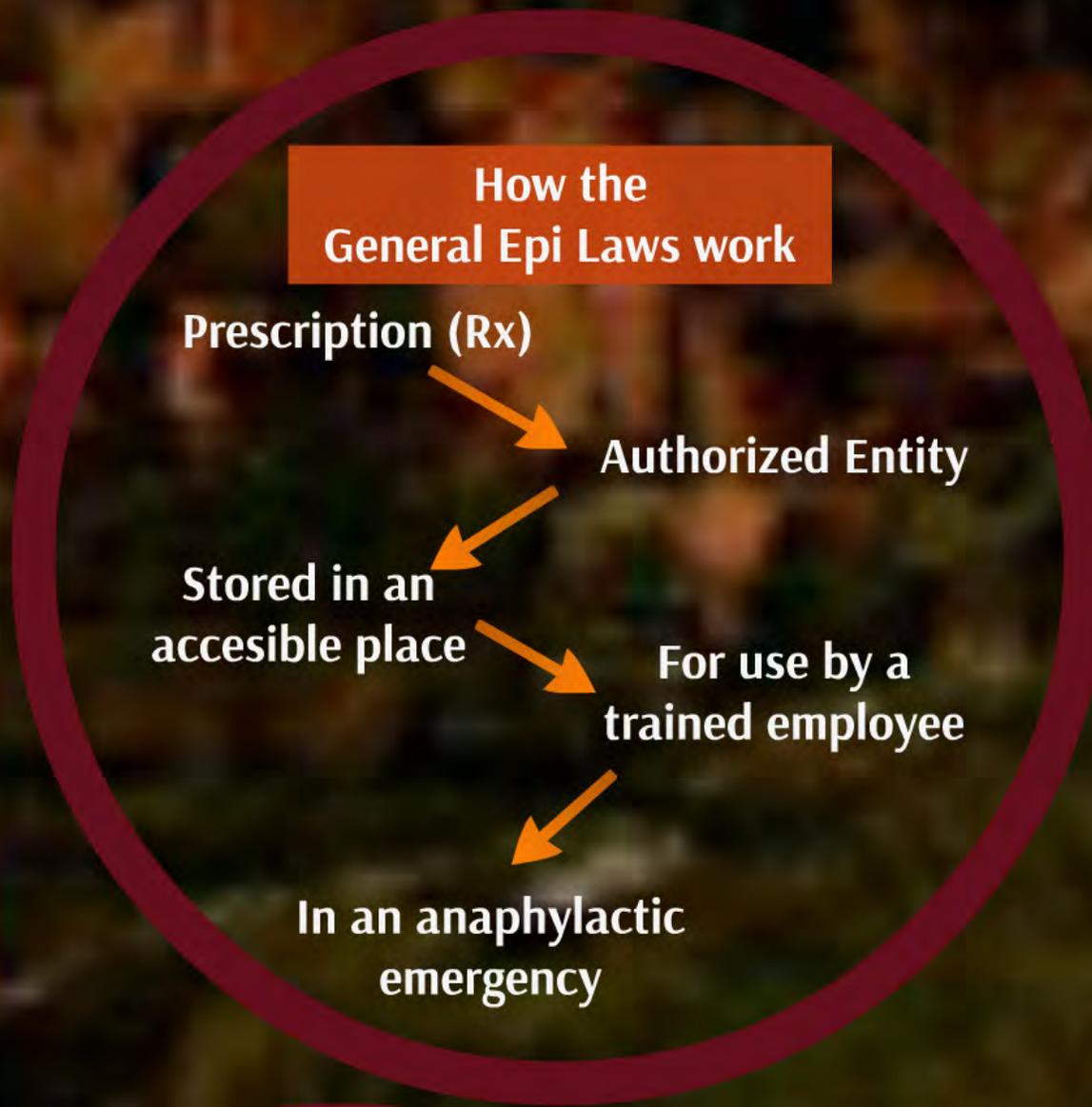
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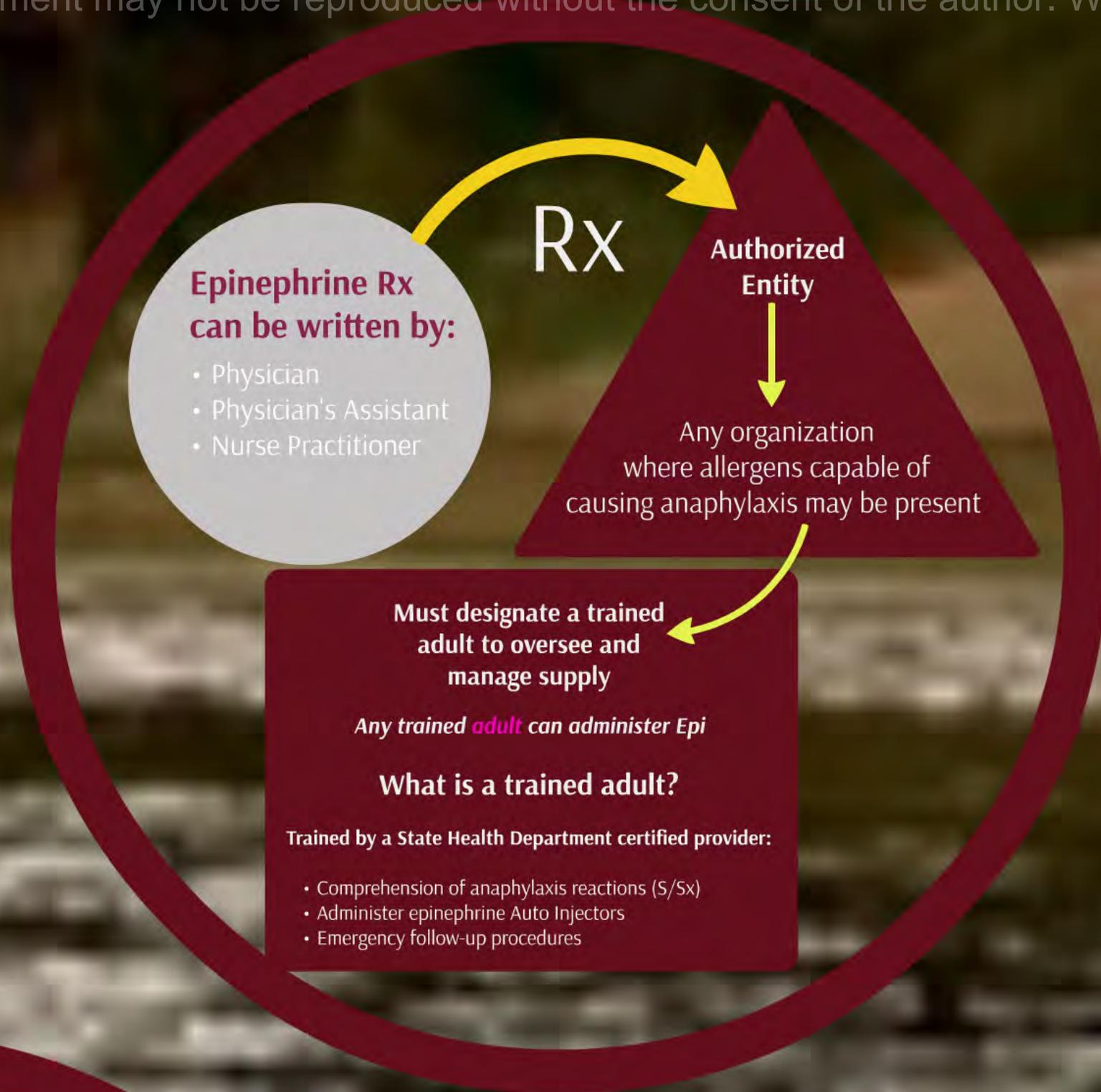
Antihistamine



General Epi Law



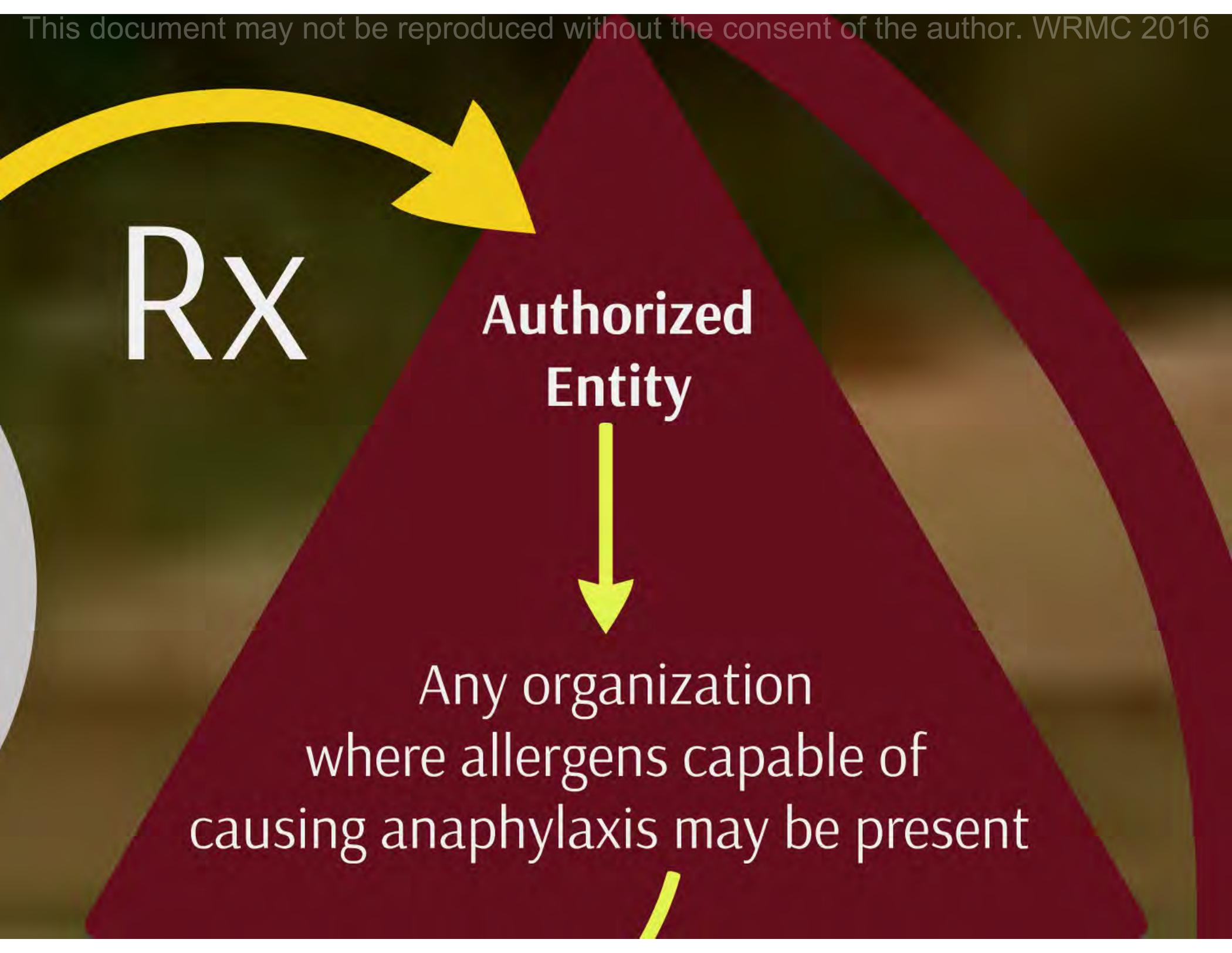




Epinephrine Rx can be written by:

- Physician
- Physician's Assistant
- Nurse Practitioner

Rx



**Authorized
Entity**

Any organization
where allergens capable of
causing anaphylaxis may be present

**Must designate a trained
adult to oversee and
manage supply**



*Any trained **adult** can administer Epi*

What is a trained adult?

Trained by a State Health Department certified provider:

- Comprehension of anaphylaxis reactions (S/Sx)
- Administer epinephrine Auto Injectors
- Emergency follow-up procedures

Immunity

No Liability

1. "Trained" Adult who Administered Epi
Outdoor Educator **Guide** **Volunteer** **Chaperone**
Wrangler **Crew Leader** Student Leader
2. Authorized Entity
Outdoor Education School
Rafting Company University Outdoor Program
Corps **Climbing School** **Experiential Ed High School**
Wilderness Therapy Program Dude Ranch
3. Dispensing Pharmacy
4. Prescribing Medical Professional **Medical advisor**

When is it OK to administer epinephrine?

What is a "good faith" belief?

When you believe in "good faith" that a person is suffering from an anaphylactic reaction.

Undefined by law, but if a person has a Hx and/or is showing S/Sx, your belief is likely to be deemed reasonable.

Immunity

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- Corps
- Climbing School
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3. Dispensing Pharmacy

4. Prescribing Medical

- Professional
- Medical advisor

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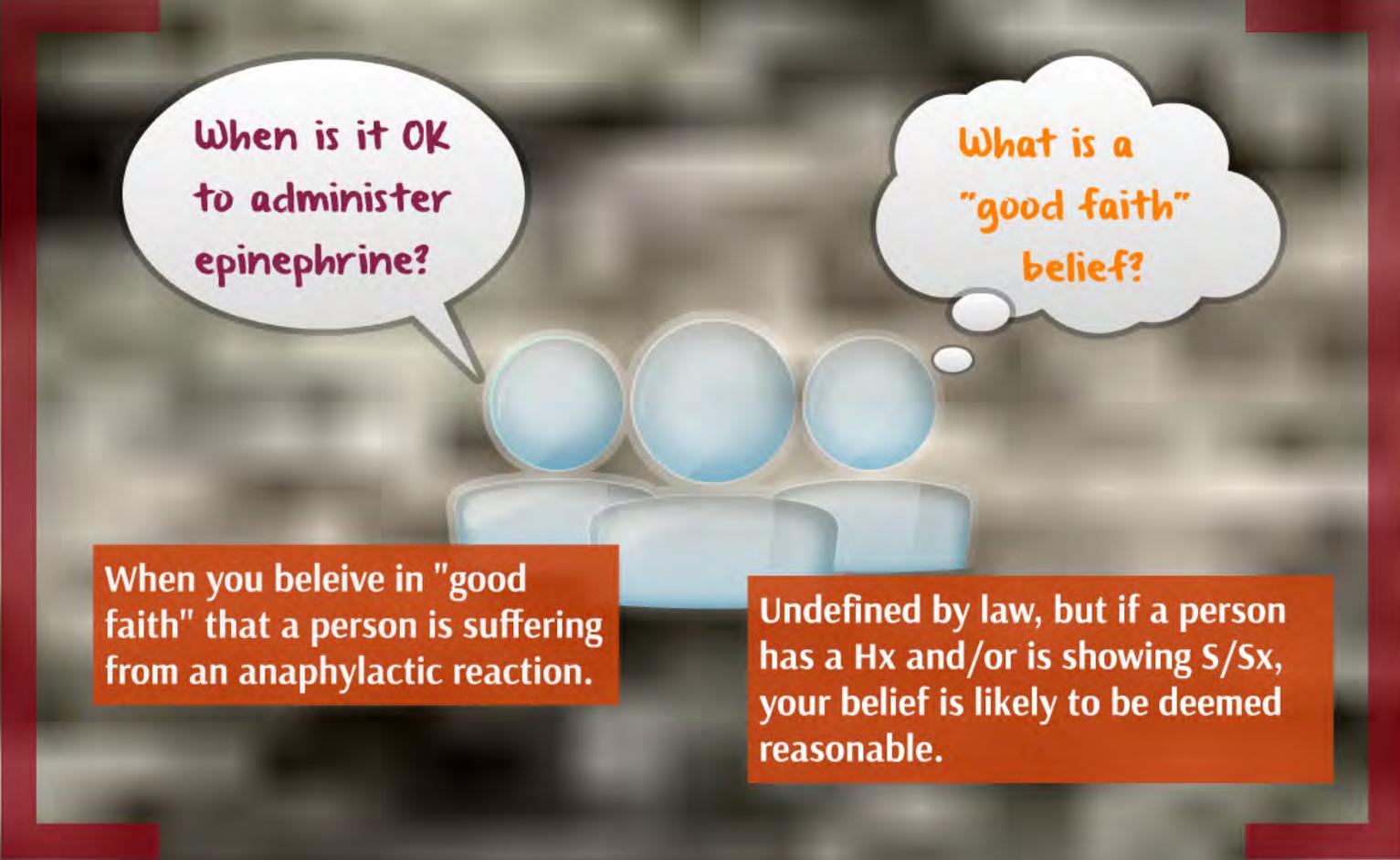
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Issues of Note

- Auto-Injectors
- Programs that cross state lines
- Waivers
 - Forum selection clause
 - Choice of law
- No duty to carry epi
- Duty to report
- Gross negligence
- Good Samaritan Statutes

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Let's work with a program manager and implement an anaphylaxis protocol

General Epi Law

- Program Coordinator
- Utah State University
- Backcountry trips
- Student Leaders
- How many trips go out at once?
- Where are your trips?

- Utah State Health Dept.
- Find a state certified provider
- Educate Medical Advisor
- Get a prescription → How many?
- Designated trained adult to manage supply
- Write a new protocol for administering epi & reporting
- Adjust your waiver → Forum selection
Choice of law

and implement an anaphylaxis protocol

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Choice of law



Take Away Points

If your program wants to carry epi:

- State Health Department
- Medical Advisor
- Train enough people to make it meaningful
- Develop a written protocol for administering epi and reporting
- Update your liability waiver

Cost/Benefit of Epi-Pens

Chicago Tribune

AUGUST 25, 2016, 9:56 PM EpiPen's rising price is particularly notable because state and federal legislation have been key to the drug's rapid growth.

- Moral Imperative?
- Is it practical financially and physically?



MY EPIPEN SAVINGS CARD

Save up to **\$300** on each EpiPen 2-Pak

*Not valid for patients enrolled in federal or state healthcare programs, such as Medicare, Medicaid, and Tricare, and not valid for uninsured patients (except for commercially insured patients without coverage for EpiPen® Auto-Injector). For full terms and conditions, visit www.epipen.com/copy

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EPIPEN® **EPIPEN Jr®** **Mylan** Seeing is believing.

epinephrine injection (US) Auto-Injector 0.3/0.15mg

RxBIN: 610524
RxCN: Loyalty
RxGRP: 50777064
ISSUER: (80840)
ID: XXXXXXXXXX





Thank you!

Solee