



Connecticut School Transportation Association

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Statement by
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Before the
Judiciary Committee
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Raised Bill 5856
An Act Concerning the Emergency Administration of Epinephrine on School Buses and Student Transportation Vehicles

Senator McDonald, Representative Lawlor, Honorable Members of the Judiciary Committee . . .

My name is William D. Moore. I am the Executive Director of the Connecticut School Transportation Association – COSTA. COSTA is a trade association comprised of owners and operators of school buses, student transportation vehicles and other associate members. Our membership of more than 125 companies and Boards of Education includes nearly all of the providers of student transportation in Connecticut. Together, they operate more than 7,400 school buses and 200 Student Transportation Vehicles that transport nearly 500,000 children to and from school safely every day.

I am appearing before you today regarding Raised Bill 5856, *An Act Concerning the Emergency Administration of Epinephrine on School Buses and Student Transportation Vehicles*. On behalf of COSTA and our member companies, I respectfully urge you to reject this measure.

HB 5856 adds school bus operators and student transportation vehicle (STV) drivers to the list of those granted limited immunity from liability when administering certain medications to students. This measure is simply unnecessary.

School bus drivers and STV drivers do not have the proper training to administer such an injection. Who will provide the training needed to learn how to properly administer the injection? Will there be annual re-training necessary? Who will be responsible for keeping the drivers current with all of the proper protocols for administering the injection?

The measure provides limited protection from civil damages for any personal injuries that result from “acts or omissions” during administration of the “Epi-Pen” injection that may constitute “ordinary negligence.”

HB 5856 requires that a “school nurse and a school medical advisor may jointly approve and provide general supervision to . . . an identified school bus operator or operator of a student transportation vehicle to administer medication administered with a cartridge injector . . .” What happens if there is no school nurse and school medical advisor available to provide “general supervision?” Does the immunity stand? Just what is the definition of “general supervision?”

Section 2 of the bill provides that “the standard of care applicable to the owners and operators of any school bus as defined in section 14-275 of the 2008 supplement to the general statutes, or any motor vehicle registered as a service bus transporting children to and from school or school activities, private or public camps or any other activities concerning the transportation of groups of children shall be the same standard of care applicable to common carriers of passengers for hire.” The only reference to a “standard of care” related to student transportation providers in the statutes is found in *Sec. 52-557c. Standard of care applicable to owners and operators of school buses*. “The standard of care applicable to the owners and operators of any school bus, as defined in section 14-275, or of any motor vehicle registered as a service bus transporting children to and from school or school activities, private or public camps or any other activities concerning the transportation of groups of children shall be the same as the standard of care applicable to common carriers of passengers for hire.” In other words, it is undefined. Who is to determine if an undefined “standard of care” has been followed in order to ensure the limited relief the bill promises?

Our members have reported only one instance of a student needing a treatment in the last ten (10) years. This is not a regular occurrence. As such, how can a school bus driver be expected to properly administer an injection if it is so rarely needed? In the event of an emergency, the drivers have appropriate protocols in place to contact emergency responders to come to the vehicle location and administer the injection. As this has not been a problem in the past, and there is no need to think that there will be a problem in the future.

The best person to administer an injection from a cartridge injector “Epi-Pen” or similar device is the student who is feeling the affects of a medical emergency requiring the injection. He or she has been properly trained to recognize the warning sign of an impending attack, and has been properly trained on the correct administration of the injection.

For these and other reasons, I respectfully urge you to reject HB 5856, *An Act Concerning the Emergency Administration of Epinephrine on School Buses and Student Transportation Vehicles*.

Thank you for the opportunity to appear before you today. I will be happy to answer any questions that you might have.