

117TH CONGRESS  
1ST SESSION

# H. R. 4049

To amend the Public Health Service Act to give a preference, with respect to project grants for preventive health services, for States that allow trained individuals to carry and administer epinephrine, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2021

Mr. GROTHMAN introduced the following bill; which was referred to the Committee on Energy and Commerce

---

## A BILL

To amend the Public Health Service Act to give a preference, with respect to project grants for preventive health services, for States that allow trained individuals to carry and administer epinephrine, 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,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as “Dillon’s Law”.

1 **SEC. 2. PREFERENCE FOR STATES THAT ALLOW TRAINED**  
2 **INDIVIDUALS TO CARRY AND ADMINISTER**  
3 **EPINEPHRINE.**

4 Section 317 of the Public Health Service Act (42  
5 U.S.C. 247b) is amended by adding at the end the fol-  
6 lowing new subsection:

7 “(o) PREFERENCE FOR STATES THAT ALLOW  
8 TRAINED INDIVIDUALS TO CARRY AND ADMINISTER EPI-  
9 NEPHRINE.—

10 “(1) PREFERENCE.—The Secretary, in making  
11 grants under this section, shall give preference to  
12 any State that—

13 “(A) permits a trained individual to ad-  
14 minister epinephrine to any individual reason-  
15 ably believed to be having an anaphylactic reac-  
16 tion; and

17 “(B) provides to the Secretary the certifi-  
18 cation described in paragraph (2).

19 “(2) CIVIL LIABILITY PROTECTION LAW.—The  
20 certification described in this paragraph is a certifi-  
21 cation made by the attorney general of the State  
22 that the State—

23 “(A) has a civil liability protection law;

24 “(B) has reviewed such law to determine  
25 the application of such law with regard to a  
26 trained individual who may administer epineph-

1           rine to another individual reasonably believed to  
2           be having an anaphylactic reaction; and

3           “(C) has concluded that such law provides  
4           adequate civil liability protection applicable to  
5           such a trained individual.

6           “(3) RULE OF CONSTRUCTION.—Nothing in  
7           this subsection creates a cause of action or in any  
8           other way increases or diminishes the liability of any  
9           person under any other law.

10          “(4) DEFINITIONS.—For purposes of this sub-  
11          section:

12                 “(A) The term ‘civil liability protection  
13                 law’ means a State law offering liability protec-  
14                 tion to individuals who give aid on a voluntary  
15                 basis in an emergency to an individual who is  
16                 ill, in peril, or otherwise incapacitated.

17                 “(B) The term ‘trained individual’ means  
18                 an individual—

19                         “(i) who has received training in the  
20                         administration of epinephrine; and

21                         “(ii) whose training in the administra-  
22                         tion of epinephrine meets appropriate med-  
23                         ical standards and has been approved by  
24                         the State.”.

○