



October 27, 2026

The Honorable Members of the New Jersey Assembly Health Committee
The Honorable Members of the Senate Health, Human Services and Senior Citizens Committee
New Jersey Legislature
Trenton, New Jersey

Position Letter: New Jersey A4656 / S3869 - Expanding Emergency Epinephrine Administration - Support with Recommended Clarifications

Dear Members of the Committees,

Students for Patient Advocacy Nationwide (SPAN) supports A4656 and S3869, which would modernize New Jersey law by permitting additional mechanisms for emergency epinephrine administration in schools, institutions of higher education, and youth camps [1, 2]. As an organization that is committed to equitable, evidence-based patient advocacy, we recognize the importance of ensuring that emergency-response statutes keep pace with newly approved treatment options.

For the reasons that follow, SPAN urges favorable consideration of these bills, with targeted clarifications to ensure consistent implementation, effective emergency treatment for students, and clear legal protections for authorized school personnel.

Removing outdated device restrictions through established legislative models: Existing New Jersey law and school health guidance describe stock epinephrine in auto-injector-specific terms [1, 3]. A4656 and S3869 would broaden authorized emergency epinephrine administration to include nasal sprays [1, 2]. This follows the FDA's August 9, 2024 approval of neffy, the first epinephrine treatment for anaphylaxis not administered by injection, and its March 5, 2025 approval of the 1 mg dose for children aged 4 years and older weighing 15 to under 30 kilograms [4, 5]. Other states have already adopted comparable legislation. Texas Senate Bill 1619, enacted in 2025, replaced references to "epinephrine auto-injectors" with "epinephrine delivery systems," while Colorado Senate Bill 25-278 adopted the broader term "emergency-use epinephrine" [8, 9]. These precedents demonstrate how states can modernize emergency treatment laws while accommodating medical innovation. SPAN recommends defining authorized emergency epinephrine delivery systems as FDA-approved devices or products containing a premeasured, single dose of epinephrine for emergency treatment of anaphylaxis.

Preserving rapid access and appropriately trained responders: Anaphylaxis can occur without a previously documented allergy, making unassigned stock epinephrine essential to school emergency preparedness. During the 2023–2024 school year, Colorado schools reported 226 anaphylaxis events involving students and other individuals, with 27% having no known

allergy and another 7% having an unknown allergy status [11]. The FDA has also recognized the fear of injections as a potential barrier to timely epinephrine treatment [4]. Nasal epinephrine provides an additional treatment option that may reduce hesitation among some patients and responders. SPAN recommends that New Jersey's Department of Education, in consultation with the Department of Health, ensure that school nurses and authorized trained designees receive device-specific training covering administration techniques, storage conditions, recognition of anaphylaxis, and appropriate emergency follow-up. This would preserve existing safety standards while accommodating additional FDA-approved treatments.

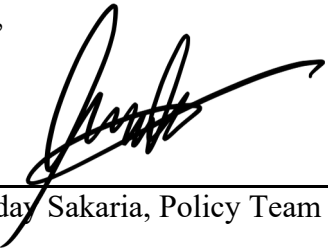
Maintaining existing legal protections while preserving flexibility in stocking: New Jersey's existing school epinephrine framework contains liability protections and related parental notice, acknowledgment, and indemnification provisions. A4656 and S3869 would remove auto-injector-specific language from several of these provisions [1, 2]. SPAN recommends confirming that applicable protections extend consistently to authorized delivery mechanisms and covered entities and personnel, subject to existing statutory conditions and limitations. The bills preserve New Jersey's existing school epinephrine stocking requirement while broadening the delivery devices that may satisfy it; they do not expressly require schools to stock both nasal and injectable epinephrine [1, 2]. Eligible public and private K–12 schools may receive four single-use neffy doses at no cost through the neffyinSchools program, subject to applicable laws and program requirements [6]. For comparison, Texas Senate Bill 1619 was projected to have no significant fiscal implications for the state, while Colorado's final fiscal note for Senate Bill 25-278 projected \$11,494 in state expenditures for fiscal year 2025–2026 to update rules, guidance, training, and reporting procedures, with no expenditures projected for fiscal year 2026–2027 [10, 11]. These figures are not estimates for New Jersey, but illustrate how other states have assessed the fiscal effects of comparable reforms.

Introduced March 10, 2026, A4656 was referred to the Assembly Health Committee, while S3869 was referred to the Senate Health, Human Services and Senior Citizens Committee [2, 7]. SPAN respectfully requests favorable consideration of these bills, with three targeted clarifications: an explicit FDA-linked definition of authorized emergency epinephrine delivery systems; training requirements addressing each device type stocked by schools; and consistent application of applicable liability protections to authorized delivery mechanisms and covered school entities and personnel, subject to existing statutory conditions and limitations. These refinements would build upon New Jersey's existing emergency-response framework while ensuring that schools can respond to allergic emergencies without uncertainty created by outdated device terminology.

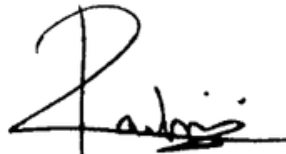


Thank you for your time and your commitment to the health and safety of New Jersey students. We would welcome the opportunity to provide additional information or discuss these bills further.

Sincerely,



Hriday Sakaria, Policy Team Lead



Rahini Nedunuri



Vaidhika Pesani

Students for Patient Advocacy Nationwide (SPAN)

1702 Clifton Road, Suite 1650

Atlanta, GA 30322

contact@spanationwide.org

References

1. *A4656, 222nd Legislature (introduced March 10, 2026)*, New Jersey Legislature https://pub.njleg.gov/Bills/2026/A5000/4656_I1.HTM
2. *S3869, 222nd Legislature (introduced March 10, 2026)*, New Jersey Legislature https://pub.njleg.gov/Bills/2026/S4000/3869_I1.HTM
3. *Nonpublic School Health Requirements: Epinephrine Training Protocols*, New Jersey Department of Education <https://nj.gov/education/nonpublic/state/health/requirements.shtml>
4. *FDA Approves First Nasal Spray for Treatment of Anaphylaxis (August 2024)*, U.S. Food and Drug Administration <https://www.fda.gov/news-events/press-announcements/fda-approves-first-nasal-spray-treatment-anaphylaxis>
5. *ARS Pharmaceuticals Announces FDA Approval of neffy 1 mg (March 2025)*, ARS Pharmaceuticals <https://ir.ars-pharma.com/news-releases/news-release-details/ars-pharmaceuticals-announces-fda-approval-neffyr-1-mg>
6. *neffy inSchools Program*, ARS Pharmaceuticals <https://www.neffy.com/community-programs/>
7. *A4656 bill details and status*, New Jersey Legislature <https://www.njleg.state.nj.us/bill-search/2026/A4656>
8. Texas Legislature, *Senate Bill 1619, 89th Legislature (2025)*. <https://capitol.texas.gov/BillLookup/History.aspx?LegSess=89R&Bill=SB1619>
9. Colorado General Assembly, *Senate Bill 25-278, Epinephrine Administration in Schools (2025)*. <https://leg.colorado.gov/bills/sb25-278>
10. Texas Legislative Budget Board, *Fiscal Note, Senate Bill 1619 (2025)*. <https://capitol.texas.gov/tlodocs/89R/fiscalnotes/pdf/SB01619A.pdf>
11. Colorado Legislative Council Staff, *Final Fiscal Note: Senate Bill 25-278 (August 12, 2025)*. https://leg.colorado.gov/bill_files/87807/download