



Asthma and Allergy
Foundation of America

September 25, 2026

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RE: Letter of Support for HB.928, Elijah's Law

Dear Members of the Early Childhood Education Caucus,

On behalf of the Asthma and Allergy Foundation of America (AAFA) and the nearly 22 million Americans living with life-threatening food allergies, I am writing to express AAFA's strong support for HB.928, An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in epinephrine auto-injector entities, further providing for definitions and for epinephrine auto-injectors for authorized entities; and making an editorial change.

AAFA is the leading patient organization for people with asthma and allergies, and the oldest asthma and allergy patient organization in the world. Kids with Food Allergies, a division of AAFA, offers tools, education, and community to families and children living with food allergies across the country.



About 5.8 percent of children and adolescents have food allergies in the U.S., which is the equivalent at least one student in every Pennsylvania classroom.^{1,2} Exposure to an allergen can cause severe reactions, including anaphylaxis and, in rare cases, death. Because there is no cure for food allergies, awareness and preparedness are key for protecting health and saving lives. Epinephrine is the only treatment for anaphylaxis.

In Pennsylvania, HB.928 would establish important allowances for day-care facilities. Facilities would be able to maintain a stock supply of epinephrine on site and designate personnel to administer epinephrine in emergency circumstances. The bill also requires day-care center employees to complete training on recognizing the signs of anaphylaxis and how to administer epinephrine.

One of the biggest challenges for childcare settings is that infants and toddlers are mostly nonverbal. Infants cannot talk about their symptoms, so caregivers must be properly trained to notice and identify the signs of an allergic reaction. In fact, AAFA's research with leading food allergy experts found that signs and symptoms of anaphylaxis may present differently in infants and toddlers than in older children. Young children in Pennsylvania who have severe food allergies always need access to epinephrine to promptly treat anaphylaxis and a trained adult who can administer it.

Pennsylvania currently allows authorized entities to stock epinephrine auto-injectors for use by trained personnel to provide emergency medical aid to individuals believed to be suffering from an anaphylactic reaction. This is a good policy, but it was enacted at a time when epinephrine was only available in devices that use needles. HB.928 builds on existing law by allowing authorized entities to stock FDA-approved epinephrine delivery devices beyond auto-injectable epinephrine.

There have been and will continue to be innovations in the delivery of epinephrine. The FDA will play its role in determining the safety and efficacy of these systems, but

¹ Zablotsky, B., Black, L.I., & Akinbami, L.J. (2023). *NCHS Data Brief, no 459: Diagnosed allergic conditions in children aged 0–17 years: United States, 2021*. National Center for Health Statistics. <https://dx.doi.org/10.15620/cdc:123250>

² *National Teacher and Principal Survey, 2017–2018*. National Center for Education Statistics. https://nces.ed.gov/surveys/ntps/tables/ntps1718_fitable06_t1s.asp.



once approved, authorized entities should have the option of determining which delivery systems to stock in case of emergencies.

Currently HB.928 sits in the Senate Appropriations Committee. We encourage the Early Childhood Education Caucus to support HB.928, and to urge your colleagues to move it out of Senate Appropriations and towards a final Senate vote. HB.928 passed the House floor in June 2025 with overwhelming support, 197-6, and passed the Senate Health Committee unanimously in June 2026.

One preventable death of a child is one too many. This allowance for authorized entities, including childcare facilities is evidence-based and will reduce risk for individuals across the state. What's more, it will provide peace of mind to all of the families managing food allergies in Pennsylvania.

Sincerely,

Kenneth Mendez
President and Chief Executive Officer
Asthma and Allergy Foundation of America