

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas *As Engrossed: S4/6/21 H4/26/21*

2 93rd General Assembly

A Bill

3 Regular Session, 2021

SENATE BILL 569

4

5 By: Senator Hester

6 By: Representatives S. Berry, *L. Johnson*

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For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING THE HEALTH AND
10 SAFETY OF PUBLIC SCHOOL STUDENTS; AND FOR OTHER
11 PURPOSES.

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13

14

Subtitle

15

TO AMEND THE LAW CONCERNING THE HEALTH
16 AND SAFETY OF PUBLIC SCHOOL STUDENTS.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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*SECTION 1. Arkansas Code Title 6, Chapter 18, Subchapter 7, is amended
22 to add an additional section to read as follows:*

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*6-18-717. Administration of medication for adrenal insufficiency or
25 adrenal crisis.*

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*(a)(1) Self-administration of a stress dose medication by a public
29 school student with adrenal insufficiency while the student is at his or her
30 public school, on his or her public school grounds, or at an activity related
31 to his or her public school may be permitted with the authorization of the
32 public school student's parent, legal guardian, or person standing in loco
33 parentis and the public school student's treating physician if the public
34 school student's parent, legal guardian, or person standing in loco parentis
35 provides written authorization for the public school student to carry a
36 stress dose medication while he or she is at public school, an on-site
school-related activity, or an off-site school-sponsored activity.*

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*(2) The written authorization provided under subdivision (a)(1)
of this section shall be:*

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1 (A) Valid only for the duration of the school year for
2 which it is provided; and

3 (B) Renewed:

4 (i) For each subsequent school year for which the
5 parent, legal guardian, or person standing in loco parentis intends to
6 authorize the self-administration of a stress dose medication; and

7 (ii) If the public school student transfers to
8 another public school in this state.

9 (3) A parent, legal guardian, or person standing in loco
10 parentis who provides written authorization under subdivision (a)(1) of this
11 section shall:

12 (A) Include with his or her written authorization written
13 orders from his or her public school student's treating physician that the
14 public school student:

15 (i) Is capable of completing the proper method of
16 self-administration of the stress dose medication; and

17 (ii) Has been instructed on the details of his or
18 her medical condition and the events that may lead to an adrenal crisis.

19 (B) Sign an individualized healthcare plan developed by
20 the school nurse for the public school in which his or her child with an
21 adrenal insufficiency is enrolled that outlines the plan of care for his or
22 her child and includes without limitation notification of the self-
23 administration of a stress dose medication to the:

24 (i) School nurse;

25 (ii) Teacher of the class in which the public school
26 student is enrolled during an adrenal crisis; and

27 (iii) Administrator of the public school.

28 (b) A parent, legal guardian, or person standing in loco parentis who
29 provides written authorization for his or her child's self-administration of
30 a stress dose medication shall sign a statement:

31 (1) Acknowledging the public school district is not liable as a
32 result of any injury arising from the self-administration of a stress dose
33 medication by the public school student; and

34 (2) Indemnifying and holding harmless the public school
35 employees and public school district in which his or her child is enrolled
36 against any claims arising as a result of the self-administration of a stress

1 dose medication by the public school student.

2 (c) As used in this section:

3 (1) "Adrenal crisis" means a sudden, severe worsening of
4 symptoms associated with adrenal insufficiency, which can lead to circulatory
5 collapse, heart and organ failure, brain damage, and death;

6 (2)(A) "Adrenal insufficiency" means a chronic medical condition
7 in which the adrenal glands do not produce enough of the necessary hormones
8 to respond to stressors such as illness and injury.

9 (B) The hormones involved help maintain and regulate key
10 functions of the body such as blood pressure, metabolism, the immune system,
11 and how the body responds to stress; and

12 (3) "Stress dose medication" means oral hydrocortisone.

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14 SECTION 2. Arkansas Code § 17-87-103, concerning exceptions to
15 prohibited nursing practices, is amended to add an additional subdivision to
16 read as follows:

17 (14)(A) The administration of an emergency dose medication to a
18 public school student who is diagnosed with an adrenal insufficiency by
19 volunteer public school personnel if the public school personnel are trained
20 to administer an emergency dose medication using the appropriate delivery
21 equipment when a public school nurse is unavailable.

22 (B) The administration of an emergency dose medication to
23 a public school student with an adrenal insufficiency by trained public
24 school personnel at school, on school grounds, or at a school-related
25 activity may be permitted with the authorization of the parent, legal
26 guardian, or person standing in loco parentis of the public school student if
27 the public school student's parent, legal guardian, or person standing in
28 loco parentis provides written authorization for trained public school
29 personnel to administer an emergency dose medication while the public school
30 student is at public school, an on-site school-related activity, or an off-
31 site school-sponsored activity.

32 (C) The written authorization provided under subdivision
33 (14)(B) of this section shall be:

34 (i) Valid only for the duration of the school year
35 for which it is provided; and

36 (ii) Renewed:

1 (a) For each subsequent school year for which
2 the parent, legal guardian, or person standing in loco parentis intends to
3 authorize trained public school personnel to administer an emergency dose
4 medication to his or her child; and

5 (b) If the public school student transfers to
6 another public school in this state.

7 (D) A parent, legal guardian, or person standing in loco
8 parentis who provides written authorization under subdivision (14)(B) of this
9 section shall:

10 (i) Include with his or her written authorization
11 written orders from his or her public school student's treating physician
12 that the public school student requires the administration of an emergency
13 dose medication under certain conditions; and

14 (ii) Sign an individualized healthcare plan
15 developed by the school nurse for the public school in which his or her child
16 with an adrenal insufficiency is enrolled that outlines the plan of care for
17 his or her child and includes without limitation a description of the
18 required care following the administration of an emergency dose medication
19 while the public school student is at school, an on-site school-related
20 activity, or an off-site school-sponsored activity.

21 (E) A parent, legal guardian, or person standing in loco
22 parentis who provides written authorization for the administration by trained
23 public school personnel of an emergency dose medication to his or her child
24 shall sign a statement:

25 (i) Acknowledging the public school district is not
26 liable as a result of any injury arising from the administration of an
27 emergency dose medication by trained public school personnel; and

28 (ii) Indemnifying and holding harmless the public
29 school employees and public school district in which his or her child is
30 enrolled against any claims arising as a result of the administration of an
31 emergency dose medication by trained public school personnel.

32 (F) Education and training on the treatment of adrenal
33 insufficiency and adrenal crisis shall be conducted annually to public school
34 personnel who volunteer to administer an emergency dose medication by the
35 school nurse for the public school at which the public school personnel are
36 employed and shall include without limitation:

1 (i) General information about adrenal insufficiency
2 and the associated triggers;

3 (ii) Recognition of signs and symptoms of a public
4 school student experiencing an adrenal crisis;

5 (iii) The types of medications for treating adrenal
6 insufficiency and adrenal crisis; and

7 (iv) The proper administration of medication used to
8 treat an adrenal crisis.

9 (G) The Division of Elementary and Secondary Education
10 shall develop guidance and education for school nurses to train volunteer
11 public school personnel as required under this subdivision (14).

12 (H) The division shall, in coordination with the Arkansas
13 State Board of Nursing, promulgate rules necessary to implement this
14 subdivision (14).

15 (I) As used in this subdivision (14):

16 (i) "Adrenal crisis" means a sudden, severe
17 worsening of symptoms associated with adrenal insufficiency, which can lead
18 to circulatory collapse, heart and organ failure, brain damage, and death;

19 (ii)(a) "Adrenal insufficiency" means a chronic
20 medical condition in which the adrenal glands do not produce enough of the
21 necessary hormones to respond to stressors such as illness and injury.

22 (b) The hormones involved help maintain and
23 regulate key functions of the body such as blood pressure, metabolism, the
24 immune system, and how the body responds to stress; and

25 (iii) "Emergency dose medication" means
26 intramuscular hydrocortisone sodium succinate.

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28 /s/Hester
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