

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

A Bill

HOUSE BILL 1395

5 By: Representatives Gossage, Gonzales
6 By: Senator Elliott
7

For An Act To Be Entitled

9 AN ACT TO PROTECT THE HEALTH AND SAFETY OF PUBLIC
10 SCHOOL STUDENTS WITH DIABETES BY AUTHORIZING CERTAIN
11 PUBLIC SCHOOL PERSONNEL TO BE TRAINED IN THE
12 ADMINISTRATION OF INSULIN AND GLUCAGON; AND FOR OTHER
13 PURPOSES.
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Subtitle

16 TO PROTECT THE HEALTH AND SAFETY OF
17 PUBLIC SCHOOL STUDENTS WITH DIABETES BY
18 AUTHORIZING CERTAIN PUBLIC SCHOOL
19 PERSONNEL TO BE TRAINED IN THE
20 ADMINISTRATION OF INSULIN AND GLUCAGON.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code Title 6, Chapter 18, Subchapter 7, is amended
27 to add an additional section to read as follows:

28 6-18-711. Administration of medication for diabetes.

29 (a) Upon written request of a parent or guardian of a student with
30 diabetes and authorization by the treating physician of the student, a
31 student, in the classroom, in another area designated at the school, on
32 school grounds, or at a school-related activity may

33 (1) Perform blood glucose checks;

34 (2) Administer insulin through the insulin delivery system the
35 student uses;

36 (3) Treat hypoglycemia and hyperglycemia;



1 (4) Possess on his or her person the necessary supplies and
 2 equipment to perform diabetes monitoring and treatment functions.

3 (b) A student shall have access to a private area to perform diabetes
 4 monitoring and treatment functions upon request of the parent or guardian of
 5 a student, as outlined in the student's health plan.

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 7 SECTION 2. Arkansas Code § 17-87-103(11), concerning exceptions to the
 8 nurse practice act, is amended to read as follows:

9 (11)(A) The administration of glucagon, insulin, or both to a
 10 student who is ~~suffering~~ diagnosed with diabetes by trained volunteer school
 11 personnel designated as care providers in a ~~plan developed under Section 504~~
 12 ~~of the Rehabilitation Act of 1973, 29 U.S.C. § 701 et seq., as it existed on~~
 13 ~~July 1, 2013~~ health plan that covers diabetes management and is based on the
 14 orders of a treating physician, who have been trained by a licensed
 15 registered nurse employed by a school district or other health care
 16 professional to administer glucagon, insulin, or both to a child with
 17 diabetes in an emergency situation.

18 (B)(i) A licensed registered nurse employed by a school
 19 district or other health care professional shall annually train volunteer
 20 school personnel designated as care providers in a health plan ~~developed~~
 21 ~~under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 701 et seq.,~~
 22 ~~as it existed on July 1, 2013,~~ of a student submitted under subdivision
 23 (11)(A) of this section to administer glucagon, insulin, or both to a student
 24 with diabetes.

25 (ii) ~~The~~ If a parent or guardian of a student with
 26 diabetes chooses to have care provided by a care provider, the parent or
 27 guardian of a student with diabetes shall sign an authorization to allow the
 28 administration of glucagon or insulin to the student by volunteer school
 29 personnel designated as ~~care providers~~ a care provider who shall be
 30 incorporated into the health plan of a student submitted under subdivision
 31 (11)(A) of this section.

32 (iii) The school district shall maintain a copy of
 33 the health plan ~~developed~~ provided under ~~Section 504 of the Rehabilitation~~
 34 ~~Act of 1973, 29 U.S.C. § 701 et seq., as it existed on July 1, 2013~~
 35 subdivision (11)(A), a list of volunteer school personnel who are designated
 36 as care providers and trained to administer glucagon, insulin or both, and a

1 copy of the parent's or guardian's signed authorization.

2 (C)(1) A school district shall strive to achieve the
 3 following staffing ratios for students with diabetes at each public school,
 4 at least:

5 (i) One (1) care provider for a public school
 6 with one (1) full-time licensed registered nurse; and

7 (ii) Three (3) care providers for a public
 8 school without one (1) full-time licensed registered nurse.

9 (2) The school district may recruit and identify
 10 public school personnel to serve as care providers to administer glucagon,
 11 insulin, or both when a licensed registered nurse is not available.

12 (3) A school district shall not require or pressure
 13 a parent or guardian of a student with diabetes to provide diabetes care at
 14 school or a school-related activity.

15 (D) A school district, school district employee, or an
 16 agent of a school district, including a health-care professional who trained
 17 volunteer school personnel designated as care providers and a care provider,
 18 shall not be liable for any damages resulting from his or her actions or
 19 inactions under this section.

20 ~~(D)~~(E) The Arkansas State Board of Nursing and the State
 21 Board of Education shall promulgate rules necessary to administer this
 22 subdivision (11); or

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 25 **APPROVED: 03/31/2015**
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