

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

*As Engrossed: S3/11/13*  
**A Bill**

SENATE BILL 228

5 By: Senator Elliott  
6 *By: Representative H. Wilkins*  
7

**For An Act To Be Entitled**

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

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

27 6-18-709. Students with diabetes – Self-treatment.

28 (a) Upon written request of a parent or guardian of a student with  
29 diabetes and authorization by the student’s treating physician, a student  
30 with diabetes may:

31 (1) Perform blood glucose checks, administer insulin through the  
32 insulin delivery system the student uses, treat hypoglycemia and  
33 hyperglycemia, and otherwise attend to the care and management of his or her  
34 diabetes in the classroom, in another area of the school or school grounds,  
35 and at any school-related activity; and

36 (2) Possess on his or her person necessary supplies and



1 equipment to perform monitoring and treatment functions.

2 (b) If a parent of a student with diabetes or student with diabetes so  
3 requests, the student shall have access to a private area for performing  
4 diabetes care tasks.

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

8 (11)(A) The administration of insulin, or glucagon, or both to a  
9 student ~~who is suffering from~~ with ~~type 1~~ diabetes or the provision of  
10 assistance with self-administration of insulin by a student with diabetes by  
11 trained volunteer school personnel designated as care providers in a plan  
12 developed under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §  
13 701 et seq., or the Individuals with Disabilities Education Act, 20 U.S.C. §  
14 1400 et seq., as it existed on July 1, 2011 as each existed on January 1,  
15 2013, who have been trained by a licensed nurse employed by a school district  
16 or other health-care professional to administer glucagon to a child with ~~type~~  
17 ~~1~~ diabetes in an emergency situation or to administer insulin to a child with  
18 diabetes.

19 (B)(i) A licensed nurse employed by a school district or  
20 other health-care professional shall annually train volunteer school  
21 personnel designated as care providers in a plan developed under Section 504  
22 of the Rehabilitation Act of 1973, 29 U.S.C. § 701 et seq., or the  
23 Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq., as it  
24 existed on July 1, 2011 as each existed on January 1, 2013, to administer  
25 insulin, or glucagon, or both to a student with ~~type 1~~ diabetes.

26 (ii)(a) The parent or guardian of a student with  
27 ~~type 1~~ diabetes shall sign an authorization to allow the administration of  
28 insulin, or glucagon, or both to the student by volunteer school personnel  
29 designated as care providers.

30 (b) The parent or guardian of a student with  
31 diabetes who wishes school personnel to administer insulin or assist with the  
32 administration of insulin shall submit to the school orders signed by a  
33 licensed physician specifying the circumstances under which insulin shall be  
34 administered, including timing and dosage.

35 (c) Upon receipt of a physician's order under  
36 subdivision (11)(B)(ii)(a) of this section, the school shall review and

1 implement the order.

2 (iii) The school district shall maintain a copy of  
3 the plan developed under Section 504 of the Rehabilitation Act of 1973, 29  
4 U.S.C. § 701 et seq., or the Individuals with Disabilities Education Act, 20  
5 U.S.C. § 1400 et seq., as it existed on July 1, 2011 as each existed on  
6 January 1, 2013, a list of volunteer school personnel who are designated as  
7 care providers and trained to administer insulin, or glucagon, or both, and a  
8 copy of the parent's or guardian's signed authorization.

9 (C)(i) A student with diabetes shall attend the school he  
10 or she would otherwise attend if he or she did not have diabetes.

11 (ii) A school attended by a student with diabetes  
12 shall be provided diabetes care at the school.

13 (iii) A school district shall not restrict a student  
14 with diabetes from attending a school on the basis that:

15 (a) The student has diabetes;

16 (b) The school does not have a full-time  
17 school nurse; or

18 (c) The school does not have volunteer care  
19 providers.

20 (iv) A school shall not require or pressure parents  
21 or guardians to provide diabetes care at school or school-related activities  
22 for a student with diabetes.

23 ~~(C)(D)~~ A school district, school district employee, or an  
24 agent of a school district, including a ~~health-care~~ healthcare professional  
25 who trained volunteer school personnel designated as care providers, ~~shall~~  
26 ~~not be~~ is not liable for any damages resulting from his or her actions or  
27 inactions under this section.

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

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32 */s/Elliott*